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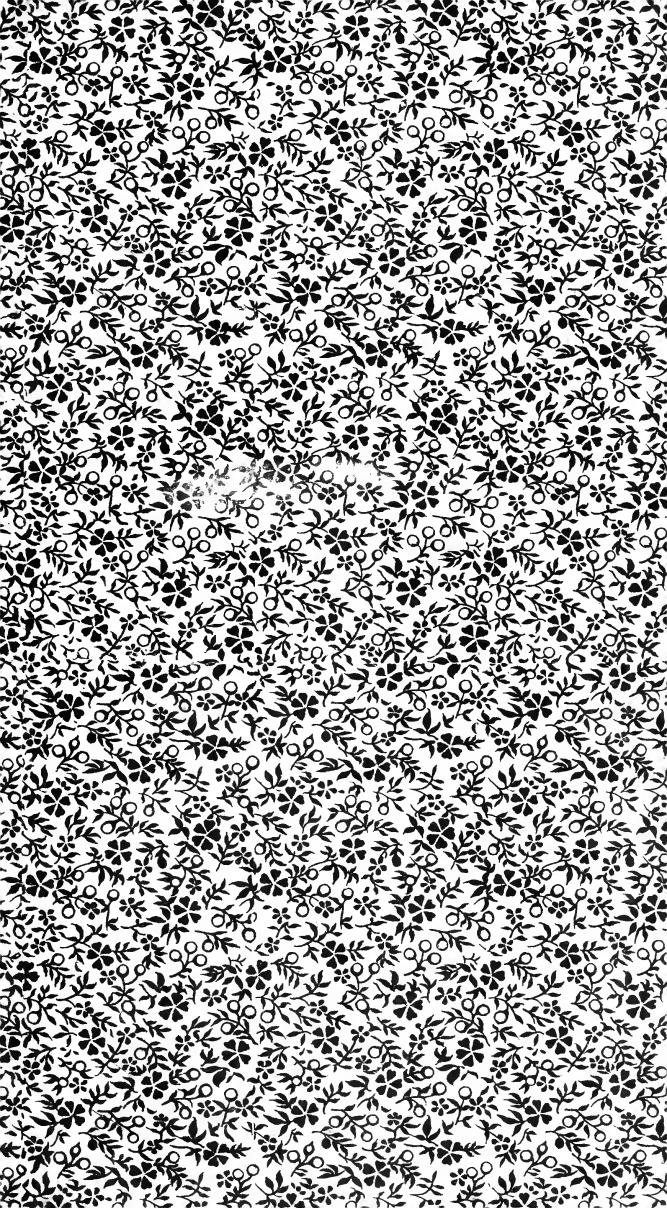
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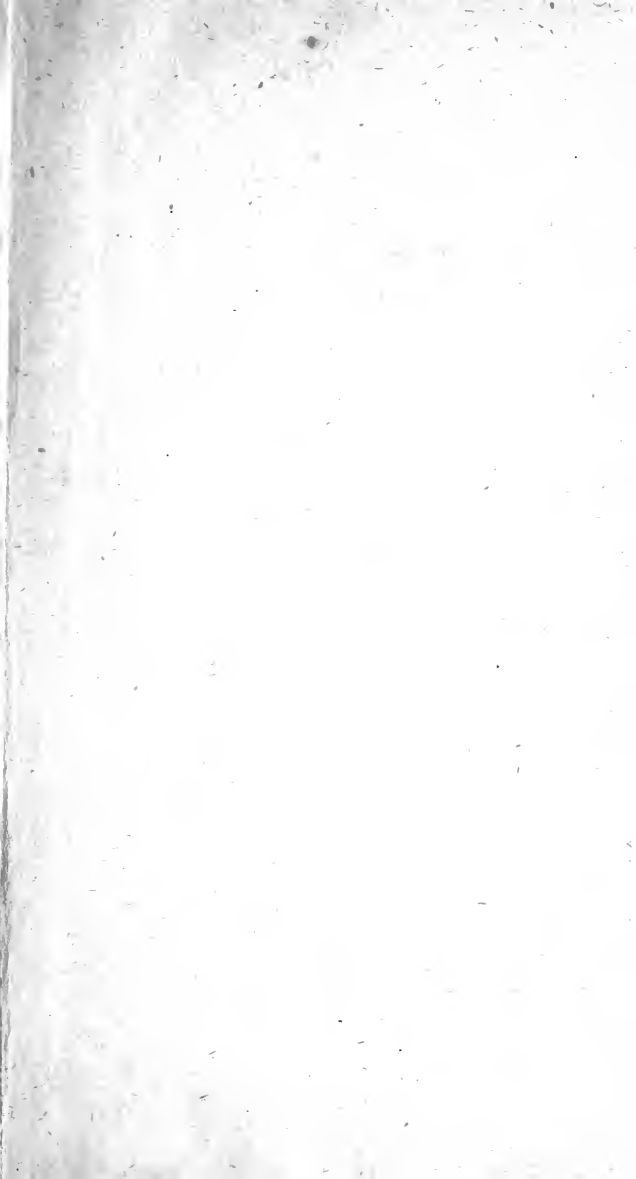
April 1, 1889

Wm. D. Burford, LITH. 1889









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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES,

OF THE

STATE OF INDIANA,

DURING THE

THIRTY-FIFTH SESSION

OF THE

GENERAL ASSEMBLY,

COMMENCING DEC. 30, 1850.



INDIANAPOLIS:  
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# JOURNAL

OF THE

## HOUSE OF REPRESENTATIVES.

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*During the thirty-fifth session of the General Assembly, begun and held in the city of Indianapolis, on Monday, the thirtieth day of December, one thousand eight hundred and fifty, being the day fixed by an act of the last General Assembly for the meeting of the same.*

The House being called to order by E. W. H. ELLIS, Auditor of State, the following members appeared, produced their credentials, were sworn into office by the Hon. JAMES W. BORDEN, President Judge of the Twelfth Judicial Circuit, and took their seats :

- From the counties of Adams and Wells—*Berkit M. Elkins.
- From the county of Allen—*Ochmig Bird.
- From the county of Bartholomew—*Thomas Essex.
- From the counties of Blackford and Jay—*Wm. T. Shull.
- From the county of Boone—*Thomas H. Nelson and Henry M. Marvin.
- From the county of Carroll—*Thomas Thompson.
- From the counties of Cass and Howard—*Daniel D. Pratt.
- From the county of Clark—*Thomas Carr and George Schwartz.
- From the county of Clay—*Delany E. Williamson.
- From the counties of Clinton and Tipton—*James S. McClelland and Newton I. Jackson.
- From the county of Crawford—*Nicholas Peckenpaugh.
- From the counties of Daviess and Martin—*Benjamin Goodwin.
- From the county of Dearborn—*Ebenezer Dumont and John B. Clark.
- From the counties of DeKalb and Steuben—*John Stayner.
- From the county of Decatur—*Robert H. Crawford.

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*From the county of Delaware—Michael Thompson.*

*From the county of Elkhart—Milton Mercer.*

*From the county of Fayette—John B. Lindsey and Charles M. Stone.*

*From the county of Fountain—Wm. K. Marquess.*

*From the county of Floyd—Ashbel P. Willard.*

*From the county of Franklin—Emanuel Withers and Andrew J. Ross.*

*From the counties of Fulton and Marshall—Wm. M. Patterson.*

*From the county of Gibson—George B. Graff.*

*From the county of Grant—Joseph Morrow.*

*From the county of Greene—Andrew Humphreys.*

*From the county of Hamilton—Wm. W. Conner.*

*From the county of Harrison—John Simler.*

*From the county of Hancock—Aaron Caylor.*

*From the county of Hendricks—George Fleece.*

*From the county of Henry—Butler Hubbard and Russell Jordan.*

*From the counties of Huntington and Whitley—Henry Swihart.*

*From the county of Jackson—John R. Hamilton.*

*From the county of Jefferson—Joseph W. Chapman and Howard Watts.*

*From the county of Jennings—Brannock Phillips.*

*From the county of Johnson—Gilderoy Hicks.*

*From the county of Knox—James Thorn.*

*From the county of Kosciusko—Benjamin Blue.*

*From the county of LaGrange—John B. Jones.*

*From the counties of Lake and Porter—Wm. M. Harrison.*

*From the county of Laporte—William Millikan and James Bradley.*

*From the county of Lawrence—George Isom.*

*From the county of Madison—Wm. Crinn.*

*From the county of Marion—John Coburn, Benj. Morgan and Percy Hosbrook.*

*From the county of Miami—Richard C. Donaldson.*

*From the county of Monroe—Lemuel Gentry.*

*From the county of Montgomery—R. W. McMakin and Thomas E. Harris.*

*From the county of Morgan—Wm. P. Hammond.*

*From the county of Noble—Abraham Pancake.*

*From the counties of Switzerland and Ohio—Thomas Armstrong.*

*From the county of Orange—John W. Rice.*

*From the county of Owen—Wm. M. Franklin.*

*From the county of Parke—Gabriel Houghman and Isaac Robbins.*

*From the county of Perry—John McKim.*

*From the county of Pike—Perry Brown.*

*From the county of Posey—John Hall and Silas M. Cox.*

*From the county of Putnam—Archibald Johnston and Elijah McCarty.*



*From the county of Randolph*—Elza Lank.  
*From the county of Ripley*—Luther Shook.  
*From the county of Rush*—Davis Riley and Henry Haywood.  
*From the county of Scott*—Samuel Davis.  
*From the county of Shelby*—Geo. W. Brown.  
*From the county of Spencer*—John Walls.  
*From the county of St. Joseph*—John Reynolds.  
*From the county of Sullivan*—John H. Wilson.  
*From the county of Tippecanoe*—Alexander L. Patterson.  
*From the county of Union*—William Watt.  
*From the county of Vanderburgh*—Isaac Hutchinson.  
*From the county of Vermillion*—Benjamin Wittenmeyer.  
*From the county of Vigo*—William K. Edwards, John P. Usher  
 and William Goodman.  
*From the county of Wabash*—Gabriel Swihart.  
*From the county of Warren*—John Benson.  
*From the county of Warrick*—Eli Lewis.  
*From the county of Washington*—James T. Campbell and Henry  
 Painter.  
*From the county of Wayne*—Joseph M. Bulla, Miles Marshall and  
 Edmund Lawrence.

On motion by Mr. Chapman,  
 The House proceeded to the election of Speaker,  
 Messrs. Bird and Coburn acting as tellers.  
 On counting the votes, it appeared that

Ebenezer Dumont received	-	-	-	-	-	-	-	81 votes.
Scattering,	-	-	-	-	-	-	-	14 "

Ebenezer Dumont, having received a majority of all the votes  
 given, was declared duly elected Speaker of the House of Represen-  
 tatives for and during the present session, and was conducted to the  
 Chair by Messrs. Chapman and Pratt, and delivered the following  
 address:

*Gentlemen of the House of Representatives :*

I shall not go into rhapsodies upon the present occasion, but would  
 still express the sense of gratitude I feel, did words fully indicate the  
 impulses of the heart. As they do not, I will not do a vain thing  
 by attempting to make them perform that office. In the progress of  
 our deliberations, I hope to make my gratitude seen and felt in a  
 faithful discharge of duty. He who would not be stimulated by the  
 honor which you have just conferred upon me, to a patriotic and  
 faithful discharge of duty, would prove himself possessed of neither  
 a sound head nor a good heart—that is to say, wanting in both prin-  
 ciple and brains. I will say, without intending to be vain, that my

poor abilities shall be wholly devoted to your service, and that of the people, our common constituents, during the present session. He who doubts it, knows me not. To bring a *less*, would be to bring an *unworthy* offering. I enter upon the discharge of my duties cheerfully, gratefully, gladly; confidently believing that the aid and assistance, indulgence and lenity that will be extended to me by you, gentlemen, will atone for my inexperience, lessen the difficulties in my pathway, and enable me to "outride the storm."

A prompt dispatch of the business for which we have assembled is, doubtless, the wish of us all. A short session is certainly the wish of the people, and all experience proves that nothing tends so much to intelligent, harmonious, and speedy action, as a rigid adherence to those rules that have stood the test of time, and that have been established by the wisdom and experience of the past. It is the interest of every member upon this floor that these rules should be observed. Their non-observance, in a deliberative body, engenders strife and discord, and has ever been wrought and fraught with evil. These rules protect the weak against the strong. They are a more potent defense to the minority, against oppression, than either prayers or tears. Besides, prayer is not the language of one free-man to another—it is due to God alone. They lead to method, prevent confusion, dispatch business, economize time and money, cherish harmony and good feeling among the members, conciliate and harmonize conflicting elements, and prevent those disgraceful scenes which transform a temple into an arena for the gladiator, and a legislative assembly into a mob.

In the preservation of these rules, permit me to invoke your aid and assistance at the beginning. *Let us enforce the rules.* Let us not fear to do right—there is no cowardice so cowardly; it never yet found its way to a manly heart. In mine it shall have neither a habitation nor a home; and by all this I only mean that I will do right as far as I know how, suffering the consequences to work out their own salvation; that I will do right without fear, favor, or affection, reward or hope thereof, regardless alike of smiles upon the one hand or frowns upon the other, with an abiding faith that you will cover with the mantle of charity the errors I may unwittingly commit.

This is an important session. Mutation would seem to be the order of the day. The old is yielding to the new dispensation. The organic law of the land is undergoing a change; old things are passing away, and happy will it be for the people, (a happiness that I verily believe they will realize,) if the sons now engaged in forming the new Constitution proves himself as wise and patriotic as the fathers who framed the old.

It will be for us to provide for taking the sense of the people touching the new Constitution; it will be for us to provide for organizing the State government under it; it will be for us, I presume, to apportion the State, to lay off judicial districts and form judicial

circuits, and to provide for the general welfare of our people. We find them prosperous and happy, may we do nothing to stay their onward march. Our State now occupies a proud and commanding position, and with a hardy, enterprising, brave, and patriotic population, with a rich and fertile soil and healthy climate, her progress, unless the wicked rule, must be upward and onward. The interest and honor of Indiana has been in part committed to our charge. As Christian men and statesmen, may we duly appreciate the responsibility, to the end that we prove ourselves worthy of the sacred trust. If your labors tend to this, gentlemen, if your motto is union, concession, harmony, every thing for truth, justice, and country, the plaudits of a grateful people will be yours. In conclusion, let me invoke upon our beloved State the choicest blessings of Heaven.

On motion by Mr. Brown of Shelby,  
The House proceeded to the election of Principal Clerk,  
Messrs. Usher and Willard acting as tellers.  
On counting the votes, it appeared that

William R. Bowes received	-	-	-	-	-	-	-	79 votes.
Scattering,	-	-	-	-	-	-	-	17 "

William R. Bowes, having received a majority of all the votes given, was declared duly elected Principal Clerk of the House of Representatives, to serve as such during the present session, and was sworn into office, and entered upon the discharge of his duties.

On motion of Mr. Johnston,  
The House proceeded to the election of Assistant Clerk,  
Messrs. Armstrong and Patterson acting as tellers.  
On counting the votes, it appeared that

Charles N. Shook received	-	-	-	-	-	-	-	81 votes.
Scattering,	-	-	-	-	-	-	-	14 "

Charles N. Shook, having received a majority of all the votes given, was declared duly elected Assistant Clerk of the House of Representatives, to serve as such during the present session, was sworn into office, and entered upon the discharge of his duties.

On motion of Mr. Brown of Shelby,  
The House proceeded to the election of Door-keeper,  
Messrs. Mercer and Ross acting as tellers.  
On counting the votes, it appeared that

Jeppha Garrigus received	-	-	-	-	-	-	-	79 votes.
Scattering,	-	-	-	-	-	-	-	17 "

Jeppha Garrigus, having received a majority of all the votes given,

was declared duly elected Door-keeper of the House of Representatives for and during the present session, was sworn into office, and entered upon the discharge of his duties,

Mr. Davis of Scott submitted the following resolution :

*Resolved*, That the Clerk inform the Senate that the House of Representatives have convened, formed a quorum, elected Ebenezer Dumont Speaker, William R. Bowes Principal Clerk, Charles N. Shook Assistant Clerk, and Jephtha Garrigus Door-keeper, and are now ready to proceed to legislative business.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have adopted the following resolution :

*Resolved*, That the Secretary of the Senate inform the House of Representatives that the Senate have convened, and elected Frank Emerson principal Secretary, Caleb S. Horton assistant Secretary, and Joseph A. Messick Door-keeper, and are now ready to proceed to legislative business.

Mr. Hosbrook submitted the following resolution :

*Resolved*, That the members of the Senate be respectfully requested to meet in the Hall, at two o'clock, P. M., and the Rev. E. R. Ames be invited to open the session by prayer.

Which was adopted.

On motion of Mr. Chapman,  
The House adjourned, to meet at 2 o'clock, P. M.

---

2 o'clock, P. M!

The House met.

Mr. Ross submitted the following resolution :

*Resolved*, That a committee of two on the part of the House of Representatives be appointed, to act with a similar committee on the part of the Senate, to wait on his Excellency the Governor, and inform him that both Houses have elected their officers, and are now

ready to receive any communication he may be pleased to make to them, and to know at what time he will make such communication; and that the Senate be informed of the adoption of this resolution.

Which was adopted.

Messrs. Ross and Pratt were appointed said committee.

Mr. Edwards moved that a committee of two be appointed to wait on the Rev. E. R. Ames, and request him to open the session by prayer, in accordance with a resolution of the House.

Which motion prevailed.

Messrs. Edwards and Hosbrook were appointed said committee.

Mr. Franklin submitted the following resolution :

*Resolved*, That the Rules of the last House of Representatives be adopted for the government of the present House, and that 200 copies be printed for the use of this body.

Mr. Edwards moved to amend the resolution by adding after the word "Rules," the words "and Joint Rules."

Which motion prevailed.

The question then recurring on the adoption of the resolution, it was decided in the affirmative.

*Ordered*, That the Clerk inform the Senate thereof, and request their concurrence in the same, so far as relates to the Joint Rules.

Mr. Chapman offered the following resolution :

*Resolved*, That the Door-keeper is hereby authorized to employ such assistance as he may think necessary.

Which was adopted.

Mr. Rice offered the following resolution :

*Resolved*, That the Door-keeper be instructed to furnish each member with the Revised Statutes of 1843, and the subsequent acts; also, the Journals of the House of Representatives of the last House.

Which was adopted.

Mr. Edwards, from a select committee, made the following report :

**MR. SPEAKER :**

The committee appointed to wait upon the Rev. E. R. Ames, and invite him to open this General Assembly with prayer, have discharged their duty, and would report that he is now in readiness to comply with the request of this body.

Mr. Samuel A. Moore, Representative elect from the county of Bartholomew, appeared, was duly qualified, and took his seat.

The following message was received from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have reciprocated the resolution of the House of Representatives in relation to inviting the Rev. E. R. Ames to open the session with prayer ; and have appointed Messrs. Hardin and Odell as a committee on the part of the Senate.

Mr. Edwards submitted the following resolution :

*Resolved*, That the Senate be invited to attend in the Hall of the House of Representatives, *instantly*, for the purpose of opening the present session of the General Assembly with prayer ; and that seats be provided on the right of the Speaker's chair.

The Senate then came into the Hall of the House of Representatives, and took their seats on the right of the Speaker's chair, when the Rev. Mr. Ames addressed the Throne of Grace by prayer.

The following message was received from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have adopted the following resolution to-wit :

*Resolved*, That a committee of two be appointed on the part of the Senate, to act with a similar committee on the part of the House, to wait on his Excellency the Governor, and inform him that both Houses of the General Assembly have convened, and have organized, and are now ready to receive any communication which he may have to make.

Which was reciprocated by the House.

Mr. Johnston moved to reconsider the vote taken upon the resolution in regard to door-keepers, which was decided in the negative.

Mr. Bird submitted the following resolution :

*Resolved*, That the Rules and Joint Rules which were in force at the last session, be adopted for the government of this House, and that the Senate be informed of the adoption of this resolution.

When,

Mr. Hicks moved to lay the resolution upon the table,  
Which was decided in the affirmative.

The Speaker laid before the House the following communication :

EXECUTIVE DEPARTMENT,

December 30, 1850.

*To the House of Representatives :*

GENTLEMEN—William M. Noel, Esq., my Private Secretary, is authorized to make executive communications from the undersigned to the House of Representatives during the present session.

JOSEPH A. WRIGHT.

· Mr. Johnston submitted the following resolution :

*Resolved*, That when this House adjourn it adjourn to meet tomorrow morning at nine o'clock, and that that be the order of meeting until otherwise ordered by the House.

The question being upon its adoption,

It was decided in the affirmative.

Mr. Graff submitted the following resolution :

*Resolved*, That the Door-keeper of this House be authorized to contract with the proprietors of the several newspapers published in this city, to furnish for the use of the members of said House, six copies of said newspapers during the present session of this Legislature.

When,

Mr. Patterson of Tippecanoe moved to amend by striking out "six" and insert "three."

Which amendment was adopted.

The question then being upon the adoption of the resolution as amended,

It was decided in the affirmative.

Mr. Gentry submitted the following resolution :

*Resolved*, That the Door-keeper act as Sergeant-at-arms during the present session.

When,

Mr. Patterson of Tippecanoe moved to amend by adding, "with no additional pay."

And the resolution as amended was adopted.

Mr. Millikan submitted the following resolution :

*Resolved*, That the Standing Rules of the last House of Representatives be referred to a select committee of five, with leave to report such amendments and alterations as they may think proper.

Which,

On motion by Mr. Hicks,

Was laid upon the table.

The following message was received from the Senate, by Mr. Emerson, their Secretary:

**MR. SPEAKER :**

I am directed to inform the House of Representatives that the Senate have adopted the following resolution, to-wit :

*Resolved*, That the Rules adopted for the government of the Senate at the last session be adopted for the government thereof during the present session.

And, also, that the Senate have reciprocated so much of the resolution of the House relative to the adoption of the rules for the government thereof, as relates to the Joint Rules for the government of the two Houses of the General Assembly.

Mr. Riley moved to reconsider the vote taken upon a resolution authorizing the Door-keeper to subscribe for newspapers,

Which was decided in the negative.

Mr. Patterson of Tippecanoe submitted the following resolution :

*Resolved*, That the reporters of the different papers of the city be granted the privilege of a seat in front of the Clerk's desk.

Mr. Humphreys moved to amend by striking out the word "city," and inserting "State."

Which motion prevailed.

The question then being upon the adoption of the resolution as amended,

It was decided in the affirmative.

Mr. Ross, from a select committee, submitted the following report :

**MR. SPEAKER :**

The committee appointed on the part of this House to act with a similar committee on the part of the Senate, to wait on his Excellency the Governor, and inform him that the two Houses have elected their officers and are now ready to receive any communication he may be pleased to make to them, and to know at what time he will make such communication, have attended to the duty assigned them, and are authorized to inform this House that his Ex-



cellency will attend to-morrow, Tuesday, 31st inst., at two o'clock, P. M., for the purpose of making such communication.

On motion of Mr. Brown of Shelby,  
The House adjourned.

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TUESDAY MORNING, Dec. 31, 1850.

The House met.

The journal of the preceding day was read and adopted.  
Mr. Ross offered the following resolution :

*Resolved*, That the Chair appoint a committee of seven to report to this House as soon as practicable, the number of papers to be subscribed for by the Door-keeper for the use of the members of this House, and to take into consideration the subject of taking papers generally.

Messrs. Ross, Millikan, Hosbrook, Watts, Edwards, Bird and Brown of Shelby were appointed said committee.

The Speaker laid before the House the following communications :

*To the Honorable, the Speaker of the House of Representatives :*

The following and annexed statement is respectfully submitted, in conformity with the sixty-fifth section of the charter of the State Bank of Indiana, as the condition of its Branch at Vincennes on Saturday the 16th of November, 1850.

WM. BURTCH, *Pres't.*

BRANCH BANK, BEDFORD, }  
Saturday, November 16, 1850. }

*To the Speaker of the House of Representatives :*

DEAR SIR — The following are the officers of this Branch :

JOHN VESTAL, President ;

Isaac Rector, Cashier, salary \$800 ;

James D. Farmer, Clerk, salary \$400.

The house used for banking purposes is worth what it is charged in the within report ; the other real estate owned by the Branch has been offered, annually, at public sale, and is worth the amount as

charged in the within report. The other items of information required by the charter you will find in the within report.

Respectfully,

ISAAC RECTOR, *Cashier*.

BRANCH BANK, TERRE HAUTE, }  
December, 28, 1850. }

*Hon. Speaker of the House of Representatives:*

SIR—In compliance with the eleventh section of the act establishing a State Bank, (approved January 28, 1834,) I forward you, on behalf of the Board of Directors of this Branch, the inclosed report of the state of the Branch on the third Saturday of November last, at two o'clock in the afternoon. In addition to the particulars therein stated, I add what the act requires; that the officers of the Branch are three, and their names and compensation are as follows, viz:

CURTIS GILBERT, President, \$700 per annum;

W. R. McKeen, Teller, \$600 per annum;

Jos. S. Jenckes, Cashier, \$1000.

All which is respectfully submitted.

JOS. S. JENCKES, *Cashier*.

The Speaker laid before the House a report of the Branch Bank at South Bend of the State Bank of Indiana.

Also, a report of the Branch Bank at New Albany of the State Bank of Indiana.

Which reports and communications,

On motion of Mr. Chapman,

Were laid on the table.

The Speaker laid before the House the following communication:

INDIANAPOLIS, Dec. 30, 1850.

HON. E. DUMONT,

*Speaker of House:*

SIR—To enable members to address their papers to their constituents, and to secure their prompt transmission through the medium of the Post Office, permit me to suggest the propriety of procuring a sack for each paper subscribed for, and when the papers are addressed and placed in their respective bags, to send them to the office of publication, so that they may be sent from thence; by which means they will be forwarded without the pre-payment of postage.

Yours, &c.,

JNO. D. DEFREES.

Mr. McClelland offered the following resolution :

*Resolved*, That the Door-keeper of this House be authorized to contract with the proprietors of the Tri-weekly Sentinel, the Daily Journal, and the Volks Blatt, to furnish for the use of the members of said House, three copies of said newspapers during the present session of the Legislature.

Which,

On motion by Mr. Watt,  
Was laid on the table.

Mr. Humphreys offered the following resolution :

*Resolved*, That the Door-keeper be instructed to make no contract with the several editors of different newspapers of this city until further orders from this House.

Which,

On motion by Mr. Hicks,

Was referred to a committee of seven, consisting of Messrs. Ross, Millikan, Hosbrook, Watts, Edwards, Bird and Brown of Shelby.

Mr. McClelland offered the following resolution :

*Resolved*, That the Principal Clerk of this House be authorized to employ such assistants as he may deem necessary, at a compensation not exceeding three dollars per day.

Mr. Patterson moved to amend by adding, "for the first six weeks, and after that, one dollar and fifty cents per day."

Which amendment was accepted by the mover.

On motion by Mr. Williamson,

The resolution and pending amendment were laid on the table.

Mr. McClelland moved to take the resolution and pending amendment from the table.

Which motion did not prevail.

A message from the Governor, by William M. Noel, Esq., Executive messenger :

MR. SPEAKER :

I am directed by his Excellency the Governor, to communicate to the House of Representatives the accompanying bills, Nos. 330 and 366, which originated in that body, and which were passed at the last session of the General Assembly, together with his messages in relation to the same.

## MESSAGE.

*To the House of Representatives :*

GENTLEMEN — The accompanying bill, entitled, “an act for the relief of Ann Blythestone, of Allen county, No. 330,” was passed at the last session of the General Assembly, but not having been presented to me for approval until within the last few days before the final adjournment, the same is now returned, as provided by the Constitution, with my reasons briefly stated for withholding my signature.

The principle involved in this bill is, that of referring claims upon the treasury to the final adjustment of persons wholly irresponsible to tribunals specially constituted, thereby involving additional expenses, &c.

The Legislature itself possesses the power to decide all such claims. It has the right to send for persons and papers—to appoint the appropriate committees to investigate the claims of our citizens against the State. If such claims are just, they should be allowed and paid. It is far better to appropriate the money direct, than in this indirect manner to cripple the treasury, by subjecting it to demands uncertain in amount, and frequently unjust in their character. If this principle of referring claims upon the treasury to self-constituted and wholly irresponsible tribunals, for adjustment, is adhered to, we shall lose sight of the doctrine of responsibility of Representatives to their constituents, in the appropriation of the public money. The correct rule is, that the members of each session are and should be responsible for their own acts, and that no money or claims should be appropriated or allowed, either directly or indirectly, without making, at the same time, provision for their payment by taxation or otherwise. Do not refer a matter of dollars and cents against the State to any tribunal for investigation. It is your province to decide it yourselves.

The people have a clear right to ask their Representatives to vote directly upon all appropriations of money from the public treasury.

The State has suffered greatly when the Legislature has been persuaded to create special tribunals to settle long standing or rejected claims. This claim may be a meritorious one.

If you should believe it is just and proper, appropriate the amount directly, and I am sure you will hear no objection from me. It is the *principle* involved which induces me, in accordance with the rule that I have laid down for my government in my first address to the Legislature, to return this bill, and to ask reconsideration of the same.

JOS. A. WRIGHT.

December 31, 1850.

Which,

On motion by Mr. Bird,

Was laid on the table.

## MESSAGE.

*To the House of Representatives, of the General Assembly of the State of Indiana:*

Gentlemen—The accompanying bill, No. 366, An act to amend an act entitled ‘an act supplementary to an act to provide for the Funded Debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville, approved January 19, 1846, approved January 27, 1847,’ was passed at the last session of the General Assembly, but not having been presented to me until within five days, (indeed within less than two days) of the final adjournment of that session, and the intermediate time not being sufficient for such a consideration of the bill, as some of its provisions seemed clearly to demand, it was held over, as authorised by the Constitution and it is now respectfully returned to the House in which it originated, with the objections which have constrained me to withhold my approval of the same.

This bill purports to be an “An act to amend an act entitled an act *supplementary* to an act to provide for the Funded Debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville, approved January 19, 1846, approved January 27, 1847,”—in an important particular.

To carry into effect the important and vital objects of the Public Debt Act, a trust was created for the two fold purpose of providing for the payment of one half of the public indebtedness of the State, and securing the completion of the Wabash and Erie Canal to the Ohio river—both objects of vital importance to the prosperity and honor of Indiana.

In order to establish and secure the confidence of bondholders in the security thus provided, and induce them to accept the provisions of the act of 1847, it is, among other things, expressly declared, in section 14 of said act, as follows:

“Now to demonstrate the good faith of the State of Indiana, and “for the removal of all such doubts as aforesaid, *and with a view to* “*create general confidence in the arrangement made in the said recited act by the State for the liquidation of its debt:*

“*Be it enacted*, That the tolls, revenues, and profits of the said canal, and its appurtenances present and future, and the moneys to “arise and be collected by and from the sales of the lands and premises contiguous thereto, and in the said act more particularly mentioned and described, and the personal taxes to be levied towards “the payment of the said debt, as in the said act also recited, and “the receipts and application thereof for that purpose, as in the same

"act is also provided, *shall remain and be INVOLATE* and in full force; and the payment of the principal moneys and interest on the certificates and stock intended to be created pursuant to the said act, and this act, and all the certificates and evidences of the title thereof respectively, *shall be and continue effectual and INVOLATE* by the means aforesaid, until the objects and purposes of the said act, and this present act, shall be fully accomplished."

And for the reasons and with the view to induce such confidence as aforesaid :

"*Be it further enacted*, That all stock, to be created, and all certificates and other instruments of title to be issued in pursuance of the said act, and all *principal moneys and interest* thereby respectively secured, shall not be *molested* or impaired, *arrested* or *attached*, by the State of Indiana."

In the 22d section of the act referred to, it is declared :—"The debt which it is the object of the trust created by the said recited act, (as amended by this act) to liquidate, as in the said acts is mentioned, having been contracted under the authority of the State of Indiana, and for the services of the people of the State, and it being desirable, *as well for the credit of the State, as also, in order to establish confidence in the public in general, and the subscribers in particular, to secure the utmost punctuality*, in the fulfilment of the objects of the said Trust, it is hereby declared, that the tolls and revenues of the said canal, present and future, and the lands and lots so conveyed, as hereinbefore mentioned, and the proceeds thereof, when sold, shall be, and the same are hereby *specially pledged*, to form a distinct and particular fund for the redemption of the stock and certificates to be issued in pursuance of the said recited act, and of this act; and the said State shall NOT DIRECT OR PERMIT any appropriation to be made of such tolls and revenues, lands and proceeds, or any of them, for the general purposes of the State, or otherwise HOWSOEVER, other than and except for the purposes of the said Trust, as directed by the said act."

It would be difficult to use any language so little liable to misconception, as that employed above. Apart from the nature of the arrangement with our creditors, which is in the form of a compact, the two acts of January, 1846, and January, 1847, are their own interpreters. The Legislature reserved to itself no power or right to alter, repeal or amend them, or any part of them. A proposition to retain this right was voted down by a decided majority of the Legislature, as the record of their proceedings shows; for the reason, unquestionably, that any such reserved power would prevent the acceptance of the act by the Bondholders, and defeat the very object the Legislature had in view.

The acts referred to were in the form and spirit of a contract, in which the creditors of the State divided their claim between the State herself and certain securities which she tendered. These securities were taken by the Bondholders for fully one half of the State's in-

debtedness, under certain guaranties, some of which I have recited. Perhaps no measure was ever more fully discussed before the people of Indiana; and the Legislature of 1846-47 embodied in the act of that session the strongest pledges and covenants, as we have seen, against any such interference, at any time thereafter, "with a view" (as expressly stated,) "to create general confidence in the arrangement made in the said recited act, by the State, for the liquidation of its debt."

If the Legislature can pass any law for the amendment of the acts providing for the Funded Debt in the manner provided in the bill herewith returned, they can in any other respect, and thus the business and property of the Trust would only find defence in the co-ordinate branches of the State Government.

That the bill herewith returned conflicts with the guaranties and pledges of the acts of 1846 and 1847, is obvious on the face of it; for it expressly directs the Trustees to do certain things, and inhibits them from collecting a portion of the debts due to the Trust, the collection of which is indispensable to enable them to meet their payments for canal work, and finish the canal according to the terms of the act. These Trustees, it should be remembered, are charged with the completion of the canal to Evansville, and have been, for more than three years, energetically applying all the means at their disposal to that object. These means, (after expending the \$800,000 advanced by the Bondholders,) are derived principally from the sales of canal lands. They have entered into large contracts for the completion of the entire line, requiring payments to be made in cash as the work progresses. To prevent the collection of their debts would be unjust; to do it in the mode proposed, would be illegal, in my opinion, and justly bring upon the Legislature a charge of bad faith. While the Trustees are carrying out the law confided to their execution, and exerting every effort to complete the work to Evansville, the Legislature cannot be too cautious in the passage of bills of the character of the one now under consideration. Above all things, the General Assembly should see that none are entertained which come in direct conflict with the law itself.

If the Trustees fail to execute their duties under the act, the State has the power of enforcing them through her own courts of law, and this affords ample protection to all parties, as, before such a tribunal, the legal powers and duties of the Trustees would be properly defined. This is, indeed, the only mode of redress, for no law which might be passed contravening the rights of the parties under the Trust, would be of any legal force. I need not argue this question to any greater extent. The sound sense of every man must comprehend the fact.

The prosperity of the State is deeply involved in the prosecution and speedy completion of this great canal; and the honor and good faith of Indiana are so solemnly pledged to uphold and protect the Trust for that end, that any act of the Legislature calculated to embarrass the Trustees in their efforts, could not fail to be injurious to

every interest of the State, and conflict with the express provisions of the acts referred to. While the work is in a course of construction particularly, great forbearance ought to be manifested, for the burdens are already weighty, and will increase till the final completion of the canal.

Doubtless there may be existing cases of peculiar hardship arising under this view of the subject. There was a time fixed in the contract for the completion of the re-appraisement of these lands. The Trustees deny that the fault, (if existing) was theirs. On the other hand, it is contended that no fault could attach to the State authorities. To decide in the premises is impossible for me to do. It seems to me that there can be no doubt, however, if the time has passed, and it was the neglect of the Trustees that the work was not completed, that there is ample remedy in the Courts of the country to compel the performance of the same.

The State being represented on the Board of Trustees, I cannot for a moment believe that that body will refuse relief in all applications that come within the spirit and meaning of the laws. Should they refuse, the remedy is elsewhere. Your attention is respectfully called to this subject; and the same will be found worthy of your re-consideration.

JOSEPH A. WRIGHT.

December 30, 1850.

Which,

On motion by Mr. Ross,

Was laid on the table and one hundred copies ordered to be printed.

John M. Cowan, the member elect from the counties of Benton, Jasper and Pulaski, came forward, produced his credentials, and took the oath of office as Representative.

On motion by Mr. Usher,

The resolution of Mr. McClelland relative to the pay of assistant clerks was taken from the table.

Mr. Chapman moved to amend by striking out so much of said resolution as refers to a compensation of one dollar and fifty cents after six weeks.

Which motion prevailed.

The question then recurring on the adoption of the resolution, Was decided in the affirmative.

On motion by Mr. Chapman,

*Resolved*, That a select committee of five be appointed to take into consideration the present condition of the Representative Hall, and to make such suggestions in relation to its improvement as they may think proper.

Messrs. Hosbrook, Watts, Pratt, Edwards and Shook were appointed said committee.



On motion by Mr. Johnston,

*Resolved*, That the Clerk and Door-keeper be respectfully requested to report to this House, at as early a day as possible, the number of assistants they have each appointed.

Mr. Bradley introduced

No. 1. A bill to enable Thomas G. Alward to file his bill in the Laporte circuit court.

Was read a first time.

Mr. Bradley moved to suspend the rule.

Which motion did not prevail.

Mr. Pratt introduced

No. 2. A bill changing the time of holding courts in the Eighth Judicial Circuit.

Which was read a first, second and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Bird introduced

No. 3. A bill for the relief of John Henry Gerke and Frederick Myers.

Which was read a first time and passed to a second reading.

On motion by Mr. Hicks,

The House adjourned, till 2 o'clock, P. M.

2 o'clock, P. M

House met.

On motion by Mr. Ross,

*Resolved*, That the Senate be invited to attend in the Hall of Representatives *instantly*, to hear the message of his Excellency the Governor, and that seats be provided for them on the right of the Speaker's chair.

The senate then came in and took their seats on the right of the Speaker's chair, when his Excellency the Governor came in and delivered the following message in presence of both Houses:

*Gentlemen of the Senate, and House of Representatives :*

You have again assembled, according to the provisions of our Constitution, to deliberate upon the interests of our people. Connected with you, to some extent, by the Constitution, in your duties and labors, I promise you my hearty co-operation in all that is calculated to advance the welfare of our beloved State.

During the past year, the nation has been called to mourn the decease of its Chief Magistrate. Zachary Taylor was a brave and sturdy soldier—a true patriot. Death suddenly ended his eventful career, in the midst of the convulsions of Congress, consequent upon the agitation and settlement of subjects, the complexity and importance of which, are unparalleled in our history. His official mantle fell quietly upon another. The majesty of the Constitution and Laws, and the wisdom thereof, were sublimely manifested. They supplied the place which death had made vacant. The Executive functions of twenty millions of freemen, passed in a single day, into new hands; yet the change, great as it was, only served to chasten agitation, instead of adding to the public commotion. Emotions of general sorrow, in view of the national bereavement, were predominant; and the result exhibited alike the patriotic sympathies of the people; the strength and grandeur of our form of government, and its efficiency to meet every emergency and crisis which can arise.

During the last year we have enjoyed within our borders, the blessings of general health. In some parts of the State, we were visited with that terrible disease, the Cholera, which, in other portions of the country, has carried off thousands. Yet through the mercies of an overruling Providence, but few among us fell victims to the destroyer. With this exception, the past year has been one of health, happiness and general prosperity.

Nothing has transpired since your adjournment, to interrupt the regular action of all the departments of government. The laws have been faithfully administered, respected and obeyed.

I am gratified in being able to say, that the necessary means to meet our January interest, has been promptly advanced by our fellow citizens, through the energy of our county collectors, without borrowing of the banks.

For the promptness with which our collectors have responded to the call of the State Treasurer, it is right that you authorise the Auditor and Treasurer to make them some compensation.

The financial condition of the State is still improving.

The ordinary expenses of the State Government, for the fiscal year ending the 31st day of October, 1850, were \$83,615 10.

The expenditures for the ensuing year, (exclusive of the expenses of the Convention,) are estimated, by the Auditor of State, at \$80,000.

The whole amount of revenue paid into the State Treasury, during the past year, on all accounts, was \$450,481 76, which exceeds the amount of the previous year, \$18,197 98.

The total value of taxable property, as returned for 1850, is \$137,443,565, which is an increase over the previous year of \$4,014,504.

The number of polls returned for 1850, is 149,986, being an increase over last year, of 6,266.

I concur fully with the Auditor of State, in most earnestly calling your attention to the subject of an improvement in the revenue system.

While the property of the man of moderate means, the farmer, the mechanic, and the day laborer, is, from its very character, exposed to the eye of the Assessor, and is such as to enable him to estimate its value with accuracy, it cannot be doubted that a large amount of invisible property, consisting of corporation stocks, moneys and credits, entirely escapes taxation.

The whole amount of corporation stock assessed in the State for the current year, is \$286,516; when, taking into consideration our numerous Plank Roads, Rail Roads, River improvements, Insurance companies, and Manufactories, it is safe to estimate the value of this description of property, at not less than three millions of dollars.

In many cases, the same property when assessed for municipal purposes, is returned at a much higher rate of valuation, than when listed by the county Assessor.

In New Albany, the city assessment exceeds the county assessment in the sum of \$300,000; in Madison, by the sum of \$565,407; and in Indianapolis, \$657,990; making a total excess, in these three cities alone, of more than one and a half millions of dollars.

Individual instances of erroneous assessment, are familiar to all. A case has been brought to the attention of the Executive, where the property of a citizen was valued by the county Assessor at the sum of \$75,525; and upon his death, the same property was valued, in the settlement of his estate, at \$256,917.

There is also a great inequality in the assessment of lands in contiguous counties; to rectify which, can only be accurately done by a State Board of equalization, or by Boards in the several Congressional districts.

The true remedy for this state of things, is, the adoption of a system to assess, at its cash value, every species of real and personal estate; such a one as in a single year, in our sister State, Ohio, increased the aggregate amount of the taxables of that State, from one hundred and fifty millions, to four hundred and ten millions of dollars. Let the Assessor furnish each tax-payer a blank form, to be filled up by himself, with an enumeration of his property, to be verified by oath or affirmation; and on refusal, authorise the Assessor to add to the valuation such per centum as may be deemed necessary. Under such a system, we shall not only equalize the burdens of the people of the State, but swell our total of taxables to at least two hundred millions of dollars, thereby enabling us to reduce the present rate of taxation. Property and wealth are the true bases of taxation, and the public burdens should rest upon them.

Owing to the construction of various works of Internal Improvement, and other causes, the value of real estate is constantly changing, and frequent assessments, under any system, will be necessary. The last valuation of real estate was made in 1846, and to secure an equalization of the burdens of the State, a re-appraisement is imperatively required.

As the Assessors have a right to commence making assessments

the first of January, if it is designed to change the present system, it is suggested that steps be immediately taken to postpone such assessment until the first of March ensuing.

Through the politeness of Mr. Meredith, U. S. Marshal, I am this moment advised, though the returns are not complete, that our entire population is about 988,000, being an increase, since 1840, of upwards of three hundred thousand. The total valuation of Real Estate, farming implements, and live stock, exclusive of other personal property, as returned by the Marshal, is about two hundred millions of dollars, being sixty-three millions over the entire assessment for taxation. If to this were added other descriptions of personal property, our entire valuation could not be less than two hundred and fifty millions of dollars.

I know of no higher duty that a citizen owes to the institutions of his country, than that of being just, not only to his neighbors, but to the government that shields and protects him. No good man will refuse to pay for the support of his government. When he pays, he should pay in proportion to what he has—according to his wealth; and he will on no occasion refuse to declare or affirm what that wealth is.

I trust, before you return to your constituents, you will pass an efficient and practical system for the assessment and collection of your revenue, by which you will obtain the just proportion levied upon the entire wealth of the State.

There is no subject that our people take more interest in than that of the reduction and final payment of our State debt. They desire some practical system that will annually reduce their debt.

It will be time enough to provide a sinking fund when we have some means to appropriate in that way; and when we shall have fully assessed and collected the revenue levied upon the entire wealth and property of the State, we shall have something to set apart for that purpose.

As it will, however, require time to perfect a system, it is proper that you enter upon the consideration of this subject. My own opinion is, that no intricate or perplexed plan of reducing our public debt can be beneficial. Simple taxation is the only remedy; and as near as can be, direct application of the money, when collected, to discharge the debt.

In the establishment of a board to manage the funds, your officers of State, with the aid of one commissioner elected by the people, would be entirely sufficient. The power given should be discretionary as to the investment of surplus funds, for obvious reasons.

The financial ability of the State may be seen in what we have accomplished in the last nine years, commencing with the suspension of our internal improvement system. In that period, with no other resource but taxation, we have liquidated, of our domestic debt, in principal and interest, the sum of \$2,529,156, and have paid of interest on our foreign debt, including the January interest, 1851, the

sum of \$739,269; making a total of \$3,268,425, or over \$360,000 per year, in addition to the ordinary expenses of the State, a sum equivalent to one half our present State indebtedness.

By the year 1853, with the improvements proposed in our revenue system, the saving effected by biennial sessions of the Legislature, and the revenue to be derived from the Madison and Indianapolis Railroad, it is estimated that we shall be able within that year to appropriate the sum of \$100,000 to the payment of the principal of the foreign debt. A table has been prepared with great care, and is appended to this message, assuming the revenue of 1853 to be \$500,000, that the annual increase of revenue will be three per centum, that the sum of \$100,000 may be appropriated the first year for the payment of principal; and that this sum may be increased every year thereafter by the three per centum of increase, and the amount saved in the interest account. Under such an estimate,—and I believe it entirely practicable, the public debt will be liquidated in seventeen years from the first payment. To show still further the practicability of wiping out the debt of the State at an early day, a table has been prepared by the Auditor of State, on a different basis, for which you are referred to his report.

We are progressing rapidly with works of public improvement. In the past season, we have completed Four Hundred miles of Plank roads, which have cost from twelve to twenty-five hundred dollars per mile. There are some twelve hundred miles additional surveyed and in progress. We have two hundred and twelve miles of railroad in successful operation; of which, one hundred and twenty-four were completed the past year. There are more than one thousand miles of Railroad surveyed, and in a state of progress.

There is no evil to be apprehended from this expenditure of money and labor upon Plank roads. They are built by our own labor and capital. The profits go to our own people, and consequently no surplus for the payment of interest on loans, goes out of the country.

So long as we confine our operations and expenditures upon Railroads and works of a similar character, to individual enterprise and capital, we have the surest guaranty that the investment will be made upon works of such a character as will pay liberally for the cost of their construction. While it is not the province of the Executive to dictate to his fellow citizens to what particular works private capital and enterprise should be directed, still it may not be improper to say, at this time, when the mind of the public is so strongly directed to railroad enterprises, that the danger to be apprehended, is, that works so entirely local in their character as to disappoint the expectations of the stockholders and the public, when constructed, will absorb the capital and energy of the country; and that the same might be appropriated to greater advantage in works of a more general character. And it is to be feared that there is too great a disposition to carry on these works by subscriptions of cor-

porate cities and counties. From the evidence before me, there is now one million of dollars of corporate stock taken, in the State, in railroads, by cities and counties; and from the present excitement in different parts of the State, the amount will be largely increased the coming season.

Sound policy dictates that no municipal department, however wealthy, should become associated with private companies for any purpose whatever. The appropriation of the revenues of cities and counties to such purposes, is wholly foreign to the objects for which municipal corporations are organized, and for which the power of taxation is granted to them; and will lead to local embarrassments and difficulties similar to those in which the State became involved a few years ago.

If we shall hold a firm and steady hand; confine investments in our public improvements to individual capital and enterprise; show the capitalist at home and abroad, by our actions and words, that we are determined to keep faithfully all past engagements; that we regard State and county credit, not as mere empty sound and promise, but that which is real and substantial and worth preserving;—if we shall do this, Indiana will steadily move forward with increased energy; her resources will be developed at the proper and right time; and she will be enabled to present the greatest chain of improvements of any State in the Union. But if in this hour, the turning point in her second history of improvements, we overleap the proper bounds, and in the moment of excitement, when individual capital is marking the whole map of the State with railroad lines, we add millions of the corporate stocks of counties, cities and townships, through a laudable but mistaken zeal to advance this or that work, we shall repent for years to come that we had part or lot in the matter. We have had such a lesson on this subject, that we should be justly chargeable with a lack of prudence if we again fall into a like difficulty, without having made some exertion to avoid such a disaster.

I recommend to your consideration, the propriety of making efficient provisions by law, for taking an annual statistical account of the Agricultural and other industrial products of the State, in their great material features. Hardly any subject of domestic policy can be more important, whether we regard its effect upon our internal policy, or upon the just weight and character of the State as a member of the confederacy. The attention of wise men has long been directed to this subject. Not only has one or more of our sister States taken some action; but the General Government is proposing to lend its aid in accomplishing the object. But while I approve the spirit which we must suppose actuates and influences the General Government, I doubt the expediency of relying solely upon its action. Why should we be continually looking to the Capital of the Nation for information as to our own wealth, resources and means? This is a subject of economy in its largest sense; involving

the certain knowledge of our material interest and ability. Such knowledge is of the first importance to the successful prosecution of individual and subordinate business affairs; but it is of vastly greater consequence to the just regulation of the collective interest of the State. It should therefore be acquired by the State, under its own laws, and through its own officers.

Important as this measure undoubtedly is, it is easy to accomplish it, at trifling expense. A bureau of statistics can be engrafted upon the office of Secretary of State, or some other State office, and the proper blanks may be prepared by such bureau, and transmitted thence to the county assessors, or some other county officer, to be by them filled, as prescribed by law, and returned to the Central Office, to be compiled for the information of the General Assembly. Thus could be ascertained the number of acres of land under cultivation; the quantity of cereal grain, and other crops produced; the number of horses, cattle, hogs, sheep, &c.; the number of mills and manufacturing; the amount of capital and value of machinery employed therein; and the aggregate annual products, especially in breadstuffs; statistics of the more important branches of mechanical labor; of the extent and progress of railroads, plank roads, canals, &c.; with their cost and income per mile, together with any other items of great and essential value. In this way we may receive annual information on the subject of our schools, number of teachers, number of pupils in attendance, the number not in attendance, the amount of the pay of teachers, the kinds of books used at schools, the condition of the School Fund, and full details of the operation of your entire school system. Thus can be established a system of practical statistical information, relative to the resources and capital of the State, highly interesting in a moral and social aspect, and very important in its bearing upon our domestic policy, and upon the character and credit of the State generally. It would afford me great pleasure if Indiana would lead off in the organization of such a system as a permanent part of our domestic policy.

The State University, and the other institutions of learning, are in a flourishing condition. More than twelve hundred young men have been in regular attendance at the different colleges of the State during the past year. It is gratifying to know that at every submission of the school question to the ballot box, there has been manifested by the people an increasing interest for the permanent establishment of an uniform system of common schools.

The history of the past speaks to us in strong language,—that where man's moral cultivation is neglected, there, life, liberty and property are unsafe. It is the obvious and plain duty of government to provide for the education of the whole people; and to secure general intelligence among men, they should begin to learn while they are children. It is therefore becoming in us, as representatives of the people, to concentrate all our efforts for the establishment of common schools in every neighborhood, for the improvement of

every child in the school district, in which should be adopted a uniform system, for every class of our youth, while we leave the county institutions and colleges to individual or associate enterprise. By such a system it is believed the object will be best promoted. One thing is certain: If we pay not for the education of the boy, we shall surely pay double for the ignorance of the man.

Your attention is called to the many valuable suggestions contained in the reports of the Trustees and Superintendents of our benevolent institutions. Indiana according to her population, this day educates, free of all expense, a greater number of mutes by thirty-three per cent., than any other State in the Union.

It is gratifying to know, that of the entire number, who have been placed in the Insane Asylum within six months after the attack, ninety per cent. have been cured; and of those who enter the Institution within one year after becoming insane, eighty per cent. are restored to their friends clothed, and in their right mind.

The economy and prudence with which the Blind Asylum is managed, are worthy of all praise.

The policy adopted by Indiana, in admitting into her benevolent institutions, all classes and conditions of her unfortunate fellow beings, without regard to property, has been followed by other States in the West. Those that have not, are now making efforts to occupy the same ground.

These institutions are the monuments of Indiana's benevolence, and it is your duty, as no doubt it will be your pleasure, to sustain them by liberal appropriations. No part of the burdens imposed on our people is paid with more cheerfulness. It is, however, indispensable, that you provide suitable checks in the expenditure of the public money thus appropriated. It may be worthy of your examination, whether the adoption of some such provisions as follow, would not be beneficial:

1st. That the Superintendents and other officers should give bond, with approved security, to cover any amount of public money that may come into their hands.

2d. That there should be adopted a uniform rule for the election of Trustees for all the institutions, and that no Board of Trustees should have the power to fill vacancies in their own body.

3d. That no Superintendent or officer of these institutions should hold the office of Trustee.

4th. That in the disbursement of funds to sustain these institutions, the money should be paid out upon warrants, drawn by the Auditor upon the Treasurer, to the person entitled to receive the same; following the rule, as far as practicable, by which payments are now made to the officers of State.

The propriety of insuring these valuable buildings is worthy of your consideration.

The cultivation and improvement of our soil is that upon which the other branches of business rely for support, and is the true source



of all wealth. The system that adds to the stock of information in Agriculture will promote the welfare of the State, and deserves to be encouraged by the Legislative Department.

The establishment of a State Board of Agriculture, to consist, say, of nine members, for the express purpose of organizing a State Agricultural Society, would be calculated to bring into existence, in the several counties of the State, County Societies, that would be auxiliaries to the State association.

We are an agricultural people. Our climate, soil, and situation, make us so; and the adoption of a system that will bring our people together annually at some point in the State, where we can present the most valuable specimens of science and art, especially the useful inventions of labor-saving implements of husbandry; endorsing the character of the improvements; awarding premiums, either of money, diplomas or medals; exhibiting the stock, grains, and productions of our State, would no doubt create a spirit of emulation in our people, and be well adapted to further the interests of our growing State.

We are not aware of the amount annually expended by our people for stock, implements and productions of other States, that can be saved in a few years by the proper organization of such County and State Agricultural Societies.

To aid in this enterprise, it is suggested, that the tax collected upon travelling circuses, menageries, and public shows, in this State, be paid to the County Treasurers, thence into the State Treasury, to be set apart expressly as a fund at the disposal of the State Board of Agriculture, to pay premiums at the annual fairs.

It is believed that you can safely appropriate one thousand dollars to this purpose in anticipation of the receipts from this source the coming year.

I mention with pleasure, on this occasion, the fact that a few of the enterprising citizens of Indiana are preparing to attend the great industrial exhibition of all nations, at London, in May next, and to carry with them specimens of their skill and labor, and samples of the productions of our soil. The propriety of expressing, in some proper manner, your approbation of such an enterprise is worthy of your consideration.

Your attention is again earnestly invited to the importance of providing for a thorough geological and topographical survey of the State. The interests of agriculture, manufactures and commerce, alike demand it. That Indiana is rich in mineral wealth is a fact that each succeeding year more and more demonstrates. We have vast beds of coal and iron, and recent developments indicate that we have many of the more precious metals. When we shall send out men of high scientific attainments to explore our hills and our prairies, to analyse our ores and our soils, and lay bare the now concealed riches of our mines, we shall have taken the first and most important step in that great race of industrial progress which

will place Indiana in her true attitude. Her position on the map of this great valley is commanding; and if, under a kind Providence, we escape the perils that threaten to separate us from the great sisterhood of States, whose interests are so blended by geological, geographical and commercial affinities, the next ten years will place her, as an agricultural and a manufacturing State, by the side of Pennsylvania.

Our policy is to rely upon our own resources rather than upon any aid from the General Government. While we do this, our interests are undisturbed by the shocks and struggles of political parties. Our strength and our independence lie in our great agricultural and manufacturing resources. We want more knowledge—we want a map which not only defines our boundaries—our area—our corporate subdivisions, and the course of our rivers;—but we want a map which will tell us the depth of our coal seams—the best localities for our iron furnaces—the extent and value of our marble and stone quarries—the worth of our exhaustless quantities of timber, and the true character of our soils. We are now groping in comparative darkness; and while other States, by the aid of science, are unfolding new and hitherto unknown elements of wealth, we are trusting these interests to chance and individual enterprise.

I submit to you, whether, if we regard the measure in the light of mere revenue alone, it is not worthy of your deliberate and favorable consideration. And while looking at the cost of the work, you will not fail to see, that in a few years it would bring such an increase of population and capital as would reduce the general burthens of the people four-fold the amount of the expenditure. I shall lay before you a printed circular letter addressed to me on this subject, and signed by a very large number of the most intelligent and enterprising citizens of the State. The views expressed in this letter will attract your attention, and, I doubt not, command your favor.

Some of the evils of local legislation have developed themselves in the practical effects of the Act giving exclusive jurisdiction of certain criminal offences defined by the general laws of the State, to justices of the peace, in several of the counties. Among these offences is that of assault and battery. Under the act concerning crimes and punishment, in the Revised Code, an assault and battery may be punished by a fine not exceeding one thousand dollars, and imprisonment for any term of time not exceeding six months. By the Act conferring exclusive jurisdiction on justices of the peace, in the counties alluded to, no fine can be imposed higher than twenty-five dollars; and thus in those counties, an assault and battery, no matter how aggravated, cannot be punished by a fine exceeding that amount. Another bad effect of this Act is, that upon the trial of an indictment in a Circuit Court for an assault and battery with intent to commit a felony, if the intent to commit a felony is not, in the opinion of the jury, proved, the Court has no jurisdiction to in-

flict a punishment for the simple assault and battery. But when the case is dismissed for that cause and comes to be re-tried before a justice of the peace, the justice may think the intent to commit a felony sufficiently proved, and in that case, he, also, would be divested of jurisdiction. Thus in bandying the case to and fro, the offender may escape punishment altogether, and that, too, when his offence is of the most aggravated character. This subject requires your immediate attention.

The subject of a small appropriation annually to the State Library, sufficient to pay for one or more of the newspapers published in each of the counties of this State, to be regularly filed and bound, is worthy of your attention. In this way, we shall, for an inconsiderable sum, obtain a history of our State, that will be of great advantage in after times. You will then have in detail the general and local policy of counties, in connection with the opinions of men; the history of individuals and families; addresses; notices of all kinds; marriages, deaths, &c., besides important local statistics not easily obtained from other sources. How highly would we prize full files of papers, which have been published in our State since the year 1804—since 1820? They would be more sought after than any work found in the State Library. By this means, you would preserve the religious, moral and political history of our State, from year to year; and although you would have a vast variety, much, of but little value; yet, it is from this alone, in after times, that our history is to be written. To this, the historian must go, to do justice to the men and the age of which he writes.

The work on the Wabash and Erie Canal, under the judicious management of the Trustees, has been prosecuted steadily towards completion, according to their plan as submitted in their first report to the General Assembly. By the contracts which they have made, the canal will be finished to Evansville within the time, after making just allowance as provided for in the act, for the delays which have been occasioned by Providential causes not within the control of the Trustees.

Beginning the work at Coal Creek, where the State left it, they have finished and brought into use seventy-nine miles from that place, to Point Commerce.

The Newberry and Maysville division, extending from Point Commerce to Maysville, forty-nine miles, is nearly finished; and but for the interruptions occasioned by cholera among the laborers on the line during the last two seasons, would have been finished in time for the navigation of next spring.

By the report of the Trustees, it appears that one hundred and fifty of the laborers on the line died of cholera during the last summer.

The entire balance of the line from Maysville to Evansville is under contract, and the work in progress, to be completed by the first day of November, 1852.

The length of the line now under work from Point Commerce to

Evansville, is one hundred and eleven and a half miles; upon which there has been employed, during the past season, an efficient force of near two thousand men.

It is gratifying to find from the reports of the Trustees, that notwithstanding the great advance in the price of labor which has taken place since they commenced the work, the actual cost of the completion will not materially exceed the estimates which were made in 1845, prior to the transfer.

The cost, according to contract prices, from Coal Creek to Evansville,—one hundred and ninety and a half miles, (exclusive of damages for the right of way,) will not vary much from \$2,012,000. The actual sum cannot be known, until the contracts are closed and the work paid for.

The certain and speedy completion of this canal, the longest in the United States, through the territory of Indiana to the Ohio river;—a work which has ever been regarded with such interest by our citizens, and the partial completion of which has already conferred such direct benefits upon so large a portion of those living along and near to it, and upon the whole State in the addition which it has been the means of making to its population and taxable property;—is a subject of sincere congratulation. And when we consider that this result has been attained by the agency of the holders of our bonds, and by means advanced by them at a time of great embarrassment, it would seem to add to the obligation resting upon us, if any thing can add to the sacredness of State faith and State honor, an additional reason for maintaining with scrupulous fidelity the arrangements with them, and throwing around them every possible security,—as their only reliance for protection and indemnity rest upon it.

The revenues of the finished portion of the canal show a gratifying increase in its traffic and usefulness.

The tolls received for the year ending November 1, 1850, are reported at \$157,158 38; being an increase of \$22,499 35 over the tolls of the previous year.

The Trustees report the sale of 25,468 22-100 acres of land in the Vincennes district; and 33,986 22-100 acres in the Logansport office, during the year; exhibiting an increasing demand of canal lands for settlement.

It cannot be expected that a work of the magnitude of this, involving so many interests, can be prosecuted and completed without causes of complaint on the part of some of our citizens. These complaints are made to the Executive department, frequently accompanied with the request that suits be brought.

It is suggested that you adopt some rules to be observed in all applications for relief by suits. The views of my predecessor on this subject, are worthy of your careful consideration.

On the twenty-eighth day of September, 1850, Congress passed a law granting to each State, for a specified purpose, the swamp or

overflowed lands within their several borders, then belonging to the General Government. On receipt of the law, a correspondence was opened with the General Land Office at Washington. A reply was communicated to me on the 28th day of October; and on the 30th day of the same month, a circular was issued to each of the County Surveyors throughout the State. Additional instructions having been received on the 29th day of November; they were embodied in another circular, and on the succeeding day were also issued as above. Under these instructions and circulars, the surveyors are at this time engaged in making the necessary examination of the tracts of land that we shall be entitled to under this law. A portion of them have discharged their duties, and made their reports; but it is probable that the entire work will not be completed before March or April, 1851. From the best information I have received, the State will obtain, under this act, about One Million acres of land, for the purposes named therein. It will be your province, at the present session, to provide by law for the compensation of the surveyors and others engaged in selecting these lands, and to take such steps as will preserve them from waste, until such time as the patents shall be made to the State, and the Legislature shall have determined the manner in which they shall be disposed of. I have not sufficiently matured any system for bringing these lands into market, or otherwise disposing of them. This, with other matters relating thereto, may be made the subject of a special communication. It would accord with my views, after the objects for which these lands were granted are accomplished, if the proceeds and residue were set apart to aid the Sinking Fund for the redemption of the State debt.

By the determination of the Commissioner of the General Land Office, the sales, by the several Land Offices, of the swamp and overflowed lands thus granted to us, will not be stopped or interfered with, until they are ascertained and marked off as "State Lands" upon their office plats. But that if any such lands shall have been, or shall hereafter be, sold by such Land officers, the money received therefor shall be held for, and be paid to the State. I have already received information of some such sales; and as there will doubtless be more, I suggest that you provide by law, the method of applying for and receiving the money arising therefrom.

The State is under many obligations to Hons. R. W. Thompson and John H. Bradley, for services rendered at Washington City in the adoption of the rules for the selection of these lands.

We were visited in the State Prison, the past season, with the cholera. Twenty-six of the convicts died. The Warden, Col. Lemuel Ford, and his wife, fell victims to the disease. He was at his post of duty, actively engaged, day and night, in administering to the comforts and wants of the sick and dying. He was a useful man, eminently qualified to discharge the duties of his office. His place will be difficult to fill.

I am gratified in being able to say that the prison was in an ex-

cellent condition; entirely cleansed; and the physician and all others connected with the prison, nobly did their duty during the prevalence of this disease.

By the kindness of Miss Dix, that devoted friend of prisoners, prison discipline, and suffering humanity, I had selected and purchased at the East, for the use of the prisoners, two hundred volumes of Religious, Historical, Agricultural and Biographical works, which cost the sum of one hundred and thirty-eight dollars and eighty-eight cents, which are kept neatly in a book case; let out to the convicts regularly, who are charged with them; and when returned, another is taken in its place. It is with pleasure I learn that a large portion of the convicts read with interest this excellent selection.

Wisdom and humanity demand that an appropriation of Fifty Dollars be made annually for the purpose of keeping up the Library. It is right and proper that men thus confined should be furnished with books, that they may employ their time in reading when not engaged in labor; I doubt not that the above expenditure, although unauthorized by law, will be approved by this enlightened body.

The greater part of the work on the new buildings has been completed, and we can now dispense with the duties of the Commissioner to superintend the Public Buildings, so far, at least, as to give the same in charge to the Warden, who resides inside of the walls, and who should be able to superintend all the improvements we have to make. By pursuing this course, we shall save four hundred dollars a year, and be able to pay your Warden one thousand dollars a year for his services in discharging the duties that have heretofore been in the hands of the two.

There is some doubt under the present law, how the Physician to the prison should be selected. My own opinion is, that he should be appointed by the State, and be independent of the lessee. I therefore recommend that you provide for his appointment in the future.

Your attention is called to the very able report made by the Visitor to the prison.

The highest number in the prison during the past year was one hundred and fifty-four. Of this number, sixteen have been pardoned;—three of them on account of insanity; five for good conduct, (the pardons being granted within a few weeks of the expiration of their sentences,) and the remaining eight were pardoned upon the application of the Courts, Juries, and citizens, who were presumed to be well acquainted with each case recommended to the Executive.

There is no duty devolving upon your Executive that is more embarrassing, and surrounded with greater difficulties than the pardoning power. With whatever care he may watch and guard its exercise, he is liable to great impositions. In view of my brief experience on this subject, I have adopted the following rules to be observed as far as practicable in all applications.

They are presented in this communication with the view of submitting them to you, and through you to our fellow citizens, believing, that they may be worthy of being made the subject of Legislation, at least of an advisory character.

1st. That in all applications for a pardon, notice should be given of the time when the same would be made.

2d. That those who represent the State upon the trial, should furnish at least the substance of the evidence.

By adopting this course, the Executive will be relieved from deciding applications on *ex parte* petitions, letters, &c., and will have before him the evidence on the trial. This course has been pursued in the State of New York, and the Executive, after one year's experience, speaks in the highest terms of the wisdom of the law.

It is respectfully suggested that power be given in the trial of cases of larceny, to imprison in the County Jails or State Prison at the discretion of the Jury, without regard to the value of property; or, at least, increase the limit prescribed by law for the division between grand and petit larceny. Intimately connected with this change in our criminal law, is the improvement in the regulations of our county prisons. By a very slight change in many counties, we may have the prisoners engaged in useful occupation. Each county should be prepared with buildings for the reception of juvenile offenders, so constructed and furnished as to provide for the regular occupation of all the inmates. It is idle to talk of reforming the young man, who, for his first offence, has been convicted for stealing property of the value of five dollars, and sentenced to two years' imprisonment in the State Prison, thus placing him by the side of the murderer. We must place the young and juvenile offender where his associations and intercourse are with those who will exercise an influence for good, and not with the old and hardened in crime. Our county prisons should be converted into workshops—into houses of industry—wearing the appearance of decency and order. Active employment should be required of all its occupants; for idleness itself often proves to be the school of vice. In this way we may not only reform the prisoners, but we should compel them to contribute to their own support, and to pay, by *the sweat of the brow*, the penalty of the violated law, and cost of conviction, thus directly relieving the counties from a heavy burden which they now pay to sustain those imprisoned. The convict can as well be made to perform labor for his own support in your counties as in your State Prison. The individual convicted for the first offence; the youth; the juvenile offender; or where the circumstances of the case seem to require at the hands of the jury of the county, that the imprisonment should be in the county jail;—your prisoner thus situated will find, daily or weekly, kind parental advice, and the watchful care of those who take an interest in his welfare; and our prisons will become what they should be,—places not only for punishment but for reformation.

The State has an interest in what is called the *Georgia Lands*, situated in the counties of Laurens, Montgomery, Telfair and Pulaski, in the State of Georgia; about three hundred thousand acres; which cost the State in an arrangement with one of the Banks east, in settling an outstanding debt due us, the sum of Two Hundred and Forty Thousand Dollars. They lie principally upon the waters of the Ocmulgee and Altamaha.

By virtue of a joint resolution passed on the 16th day of February, 1849, a contract was made with my immediate predecessor, by which a sale of these lands, without notice, was made to Martin R. Green, and a conveyance executed, for the sum of one thousand dollars. It is to be regretted that any sale was made of such a large body of lands by the Agent of the State, without reserving the right to the Legislature to confirm or reject the same. It is difficult to determine what is the value of these lands; but from information received the past season, I have reason to believe that a large portion are worth from fifty cents to one dollar per acre.

Your officers of State, in view of the quantity of land and their cost, from the evidence before us, not necessary to be here mentioned, desiring to preserve them from passing into the hands of innocent purchasers, from Mr. Green, without notice, after mature examination, were induced to offer the interest of the State in these lands, for sale. Due notice has been given, and several propositions have been made, some in the way of inquiring as to the title; others as to the value. No sale can be effected so long as the outstanding contract and deed remain as they are. It would require more space than is allotted for this communication, to give the full history of this transaction, and the evidence upon which your Executive acted in offering these lands again for sale; all of which, will, with pleasure, be communicated to your body, or to any committee to whom the subject may be referred.

It is alike due to Mr. Green—to all concerned—that you should thoroughly investigate this subject. You should, upon that investigation, either confirm said sale, and direct the surrendering of all the title papers, or you should authorize a suit to be brought to set aside the conveyance. I have no hesitation in recommending the bringing of the suit, believing that the State had better receive nothing than to take the one thousand dollars.

The widow and Executrix of the late Edward J. Black, of Georgia, has presented a claim for a thousand dollars against the State, by virtue of a contract made by your Agent of State and her deceased husband, relative to these lands, which requires your investigation.

On the 13th day of October, 1849, arbitrators appointed by my predecessor by virtue of a special act of the Legislature, entitled "An act for the relief of Patrick McGinley," passed February 11, 1848, made an award in favor of said McGinley, against the State of Indiana, for the sum of \$21,143 00; which said award, together



with the papers in the cause, as well as the proceedings, were filed in the Clerk's office of the Floyd Circuit Court. On the 13th day of November, 1849, two warrants were drawn by the Auditor of State upon the Treasurer,—one for the sum of \$11,000 dollars; the other for \$5,000,—both payable on the 1st day of March, 1850; which warrants were drawn upon the duly authenticated copy of said award, from the Clerk of said court; the papers on file in said office showing that said McGinley agreed to release the sum of \$5,143 00, that portion of said award over the sum of \$16,000,00, upon the condition that no appeal was taken in the cause, and which sum of \$5,143 00 so released, was to be appropriated to the payment of costs, expenses, &c.

On the 5th day of December, 1849, my duties as Executive commenced. The 6th day of February, 1850, being on a visit to the State Prison at Jeffersonville, I called on the Clerk of the Floyd Circuit Court, and requested him to furnish me the papers in the case of McGinley. For the first time, I became acquainted with the fact, that at the time of the rendition of the award, Mr. Bullett, the attorney for the State, and the only person that was authorized by the act aforesaid to appear for the State, had prayed an appeal to the Supreme Court in the cause, and that the same was granted. A copy of the record in the cause was obtained, and legal gentlemen consulted, who made an affidavit of the facts of the case, giving the dates, &c. Upon the application to the Supreme Court, they directed the clerk to docket the cause as an appeal. The cause is now pending in the Supreme Court. The warrants are yet outstanding and unpaid. They are unknown to our law, and issued contrary to the uniform practice, being payable at a future time, thus giving notice to all of their character.

The course adopted in this cause, has been with the concurrent action of your officers of State; and I sincerely hope, that if the highest judicial tribunal in the State; the one that decides the rights of our citizens, has not jurisdiction of this cause, so as to decide the same upon its merits, that you will adopt such measures as will give that Court ample power. If the Supreme Court of the State shall decide that this claim of McGinley is correct and just, we should pay not only the sixteen thousand dollars, but the last dollar, with interest, that is adjudged to him. If it should be the pleasure of your body to pay these outstanding warrants, you will remember that no payments can be made, unless the tax is levied and the money collected. We have solemnly pledged four-fifths of our State revenue to pay our interest; and the remaining one-fifth is set apart to pay the ordinary expenses of the State. This being an extraordinary demand upon the Treasury, it can be met only by increased taxes, or by virtue of a loan.

From information received from our Senators at Washington, we shall not receive any portion of the three per cent. fund due us, until some action of Congress is had upon the subject.

Your attention is called to the report of the Quarter Master General; particularly, as to the propriety of providing a building for the safe keeping of the public arms.

The report of the Agent of State, exhibits the wisdom of the act of the Legislature at its last session, in the great reduction of expenditures in that department. The suggestions contained in the report are worthy of your consideration.

A citation has been served upon me in the suit of the Vincennes University against the State of Indiana, on a writ of error to the Supreme Court of the United States, from the Supreme Court of this State. It devolves upon you to provide in what manner the rights of the State shall be represented in this cause.

In pursuance of the discretionary power given to the Auditor of State and myself, settlements and compromises have been made with the lessees upon the Central Canal, by which about \$4,400 will be realized; the repairs and incidental expenses the past year, have been about \$1,250. A suit that was brought, is yet pending in the Supreme Court.

Due notice was given and a sale effected of that portion of the canal lying north of Morgan county. The sale was made to George G. Shoup, John S. Newman and James Rariden, for the sum of \$2,425. That portion of the Canal lying in Morgan county was sold to Aaron Alldredge for the sum of six hundred dollars. These sales are subject to be confirmed or rejected by you. I have no doubt that it is to the interest of the State to confirm the sales, and recommend that you take that course. The sooner the State is entirely disconnected from all public works, the better.

The Convention elected by the people to form a new Constitution for the State is still in session, and will probably not close their labors for some weeks.

The appropriation for the payment of the Convention is already exhausted. It will devolve upon you to make further appropriations for this object.

As the amount collected by the tax levied the past year will not be sufficient to pay the additional expenses of the Convention, I suggest that you anticipate the revenue of the coming year, (the same rate of taxation being continued;) by a loan for this purpose, as also for the payment of the July interest on our public debt. I have no doubt but that the succeeding January interest will be promptly met by the people through their collectors.

It is your duty at this session to apportion the State into Senatorial and Representative districts. Public opinion seems to demand a reduction of the number in both houses. As to the character of our legislation, quite as much may depend upon the capacity of legislators, as upon their number. Able men will devote themselves to the public service for two reasons chiefly; honor and compensation. Taking into view the condition of our State, the character of our people, and the vast interests which they have at stake in the estab-

lishment of a correct system of domestic policy, it would seem that there is too great a difference between the honors and emoluments of the State and National governments. The public business may undoubtedly be disposed of with more system and order, and every interest of the State may be fairly represented and properly protected, by a House of Representatives of seventy-five, and a Senate of thirty members; provided their election shall be made under a system liberal enough to secure to the State the services of her best and ablest citizens.

The subject of the colonization of the free blacks is now beginning to receive that attention which its importance demands. The circumstances which surround us, are pressing our people to look into this subject in the right light, and in a proper spirit.

Our southern brethren are making rapid movements towards abridging the privileges of this class, even to banishment. We in the north are adopting extraordinary means for removing them, by prohibiting them from holding property, excluding them from the protection of the laws, and denying them any rights whatever.

While all this is going on, our better nature, the common sympathies of all men, are beginning to ask these important questions: *What is to be the end of all this? Is there no remedy? Is there no cure for this evil?*

In the midst of all this excitement and confusion, the light breaks in upon us, which points conclusively to colonization as the only remedy. The infant colony of Liberia, recognized as one among the nations of the earth, begins now to attract the renewed attention of all men, who desire to see an entire separation of the two races. In this great struggle for the separation of the black man from the white, let Indiana take her stand; put her agent into the field. Her citizens are ready. Yea, they are willing to contribute of their surplus, something for the removal of this people from among us and to locate them in the native land of their forefathers. Other States in this Union have their own settlements in Liberia. Let Indiana have hers. Let us sustain the movement made by Mr. Bryant of Alabama, for the employment of government vessels, to found an Empire in Africa. Let the National, as well as the State governments, strike at this hour for a permanent and effectual remedy for the agitations and excitement of the day, on this difficult question.

In pursuance of a Joint Resolution of the last session of the Legislature, a block of marble, native of the State, was procured and forwarded to Washington, to be placed in the monument now in progress of erection there, to the memory of the father of his country.

The General Assembly did not authorize any sentiment to be placed on the block. I took the liberty of having inscribed the following:

"Indiana knows no North, no South, nothing but the Union."

I did so, because I believed, as I still believe, that the sentiment thus engraved on enduring marble, was written also on the hearts of our people, that it was the sentiment of the great mass of my fellow-citizens of Indiana, on the most agitating question of the day.

Complete unanimity is rarely the incident of human councils. In a Confederacy like ours, differing as its members do, in soil, climate and productions; in habits, manners and social relations; in local and sectional interests, it could not be expected now, any more than at the birth of our Federal Constitution, that any compromise, based upon mutual concessions, should be satisfactory to all.

It is not a practical question whether those measures of peace, recently framed by great and good men, in the same spirit which actuated our fathers in days gone by, are, in every respect, such as meet our unqualified approval. It has been well said, that the lives of the best of us are spent in choosing between evils; and it is often a bounden duty to endure a temporary and incidental evil for a permanent and inherent good. A domestic institution, forced upon our forefathers in colonial days, rather than voluntarily adopted by them, is, for the present, the necessary policy of our Southern brethren. Any sudden abandonment of that policy, is impossible. Even its gradual relinquishment is beset with difficulty, and embarrassment. The patriots of the revolution, convened to frame a government that has endured for three quarters of a century, has spread over half a hemisphere, the blessings of peace, of political and religious freedom, and of national prosperity;—assented to the great principle that each State of the Union is sovereign, as to her internal government, and her social relations. Without this recognition, absolute and unconditional, the thirteen original States would never have concurred in the federal compact. That was the great conservative element which bound hearts though it could not reconcile opinions. Without that element the Union would not have been created then. Without it, the Union cannot be preserved now.

Indiana, a central State, has always maintained a high, conservative position, especially on that exciting question of the day, which has threatened, more seriously than any other, the integrity of our confederacy of States. She is, indeed, convinced, that she has wisely selected her own domestic policy. She is satisfied with the degree of prosperity, which under that free policy, she has attained. Our State was the nineteenth admitted into the Union. In wealth in agricultural and commercial importance she is now the fifth, if indeed she be not the fourth. Of the eighteen States which composed the Union when we were admitted, four, at most, are now in our advance: and not one of those since admitted has come within sight of us. Maintaining her position ahead of all her younger sisters, Indiana has walked quietly in advance of fourteen of the older States. In our onward progress we have uniformly acted toward each, equal to equal. Our compacts with the Great confederacy to which we belong and every member of it, have been faithfully kept

in letter and in spirit. Neither by legislative act nor otherwise have we withheld from any citizen of the Union the rights which, under the federal compact, are assured to him. To this day no cause of complaint has been given; nor, so far as I know, has complaint been made, against Indiana, by any State in the Union.

Above all, Indiana recognizes the imperative duty, by every good citizen, of obedience to the laws of the land.

Whatever difference of opinion may exist as to the late compromise measures enacted by Congress, however ultra men in the North or in the South may oppose or denounce them, there is but one course of action for the true patriot to pursue; and that is, unhesitatingly and in good faith to carry out their enactments.

There is no safety for property, for liberty, nor for life, except in the absolute supremacy of the law. There is no higher duty of the citizen than to maintain, by word and deed, that supremacy. As we value the heritage, rich beyond all price, purchased not with silver or gold, but with the life's blood of the good and brave—that heritage bequeathed to us by our fathers, and which we, in turn, must bequeath inviolate to our descendants—let us bear in mind, this great truth that the first public act of disobedience to law, is the first fatal step on the downward road to anarchy.

The Constitution of this great Confederacy, written on parchment, may be rent asunder, if it be not written also on the hearts and affections of the people. It is written on ours. We love, we respect it, we give it our highest sanction, alike for the sake of the sacred principles, guardian of human liberty, embodied in its provisions, for the unnumbered blessings we have enjoyed under its rule; and in memory also of that band of great and good men, who conceived and established it. This truth should be understood by our people, that this Union cannot be preserved by force. If it could, it would not be worth preserving. The bonds and ligaments that bind us together, are moral and not physical. Our glorious Union is one of consent and not of force. It is a Union of confidence, of trust, of love, and of affection. When these are gone, the Union loses all its attraction and value.

At no hour of our history have we required, more than at the present, an infusion into our councils of that spirit in which the articles of our confederacy were first conceived. As Representatives, as citizens of Indiana, as citizens of the United States, we have difficult, delicate, important duties to perform. Foremost among these is the obligation to oppose, by every lawful means, that spirit of factious fanaticism alike suicidal wherever it has birth, which insidiously assumes the garb, in one section, of philanthropy, in another, of State rights. By speech, by action, by concession, by forbearance, by compromise, by the influence of moral suasion and the strong power of kindness, by each and all of these means, let us seek to allay the spirit of lawless misrule, that spirit which installs each man's opinion the arbiter of constitutional rights, or which

coolly estimates the value of this Union, and looks with steady eye on a separation of these States, the certain herald of bloodshed and a thousand horrors, a separation to be surely and speedily followed by war, in its most odious form, servile, perhaps, as well as civil,—war among those of the same race, the same name, the same blood,—war that shall bring together in hostile array, neighbor against neighbor, brother against brother, son against sire.

To avert calamities so direful, Indiana will cast, even to the last, the entire weight of her influence. She will be just to each and every member of the confederacy—just to the Constitution—just to the laws. She will abide by that Constitution—abide by the laws; and above all, she will abide by the compromises made by our fathers—the compromises made by the great and good men of this day. She will hope, she will pray, that the same kind and overruling Providence which watched over our Fathers at the adoption of the Constitution, and has sustained in every crisis and cheered in every hour of darkness since, will direct their sons also in the paths of wisdom and of peace, and enable us to transmit to posterity that sacred instrument, a guide and a blessing in the Future, as it has ever been in the Past.

Indiana takes her stand in the ranks, not of *Southern destiny*, nor yet of **NORTHERN DESTINY**. She plants herself on the basis of the Constitution; and takes her stand in the ranks of **AMERICAN DESTINY**.

December 31, 1850.

JOSEPH A. WRIGHT.

**TABULAR ESTIMATE—SEE PAGES 24 AND 25.**

| Year.     | State Revenue—annual<br>increase 3 per cent. | Amount paid on<br>principal. | Amount of principal<br>liquidated. |
|-----------|----------------------------------------------|------------------------------|------------------------------------|
| 1853..... | 500,000 00                                   | 100,000 00                   | 100,000 00                         |
| 1854..... | 515,000 00                                   | 120,000 00                   | 220,000 00                         |
| 1855..... | 530,450 00                                   | 141,450 00                   | 361,450 00                         |
| 1856..... | 546,363 50                                   | 164,436 00                   | 525,886 00                         |
| 1857..... | 562,754 40                                   | 189,048 70                   | 714,934 70                         |
| 1858..... | 579,637 03                                   | 215,383 76                   | 930,318 46                         |
| 1859..... | 597,026 14                                   | 243,542 06                   | 1,173,860 52                       |
| 1860..... | 614,936 92                                   | 273,629 94                   | 1,447,490 46                       |
| 1861..... | 633,385 02                                   | 305,759 54                   | 1,753,250 00                       |
| 1862..... | 652,386 57                                   | 340,049 07                   | 2,093,299 07                       |
| 1863..... | 671,958 16                                   | 376,623 11                   | 2,469,922 18                       |
| 1864..... | 692,116 90                                   | 415,613 00                   | 2,885,535 18                       |
| 1865..... | 712,880 40                                   | 457,157 15                   | 3,342,692 33                       |
| 1866..... | 734,266 81                                   | 501,401 42                   | 3,844,093 75                       |
| 1867..... | 756,294 81                                   | 548,499 49                   | 4,392,593 24                       |
| 1868..... | 778,983 65                                   | 598,613 31                   | 4,991,206 55                       |
| 1869..... | 802,353 15                                   | 651,903 47                   | 5,643,110 02                       |
| 1870..... | 856,423 74                                   | 708,579 24                   | 6,351,689 26                       |
| 1871..... | 851,216 45                                   | 768,800 61                   | 7,120,490 17                       |

Mr. Patterson moved to lay the message on the table, and that five thousand copies be printed for the use of this House.

Mr. Brown of Shelby moved to amend by adding, five hundred copies for the use of his Excellency the Governor.

Which was adopted.

Mr. Harrison moved to amend the motion to print by adding, and five hundred in the German language.

Which was adopted.

Mr. Davis of Scott moved to amend the motion to print by adding the words, provided the same can be printed within ten days of this time.

Which amendment was accepted by the mover.

Mr. Hutchinson moved to amend the motion to print by adding, five hundred additional copies in the German language.

Which motion did not prevail.

The question then recurring on the adoption of the motion as amended,

Was decided in the affirmative.

On motion of Mr. Brown of Shelby,

The House adjourned.

## WEDNESDAY MORNING, Jan. 1, 1851.

The journal was read and adopted.

The Speaker then announced the following

### STANDING COMMITTEES.

#### ON ELECTIONS.

Messrs. Armstrong, Hicks, Harrison, Patterson of Tippecanoe, Bulla, Caylor and Clark.

#### ON WAYS AND MEANS.

Messrs. Willard, Usher, Brown of Shelby, Bird, Hutchinson, Hammond and Rice.

## ON THE JUDICIARY.

Messrs. Chapman, Franklin, Williamson, Pratt, Edwards, Coburn and Bradley.

## ON EDUCATION.

Messrs. Lewis, Crawford, Patterson of Marshall, Watt of Union, Lindsey, Riley and Millikan,

## ON THE STATE BANK.

Messrs. Edwards, Mercer, Rice, Goodman, Chapman, Watts and Wilson.

## ON MILITARY AFFAIRS.

Messrs. Gentry, Humphreys, Essex, Goodman, Johnston, Marshall and McKim.

## ON CANALS AND INTERNAL IMPROVEMENTS.

Messrs. Crawford, Armstrong, Conner, Clark, Harrison, Thompson of Delaware and Walls.

## ON AGRICULTURE.

Messrs. Brown of Shelby, Davis of Scott, Swihart of Huntington, Swihart of Wabash, Schwartz, Stayner and Johnston.

## ON CORPORATIONS.

Messrs. Bradley, Ross, Donaldson, Reynolds, Williamson, Fleece and Willard.

## ON ENROLLED BILLS.

Messrs. Shook, Gentry, Benson, Campbell, Blue, Elkins and Conner.



## ON ENGROSSED BILLS.

Messrs. Coburn, Hamilton, Harris, Houghman, Watt of Union, Jackson and Cowan.

## ON PUBLIC EXPENDITURES.

Messrs. Usher, Jordan, Lawrence, Marquess, Marvin, McCarty and McMakin.

## ON BENEVOLENT AND SCIENTIFIC INSTITUTIONS.

Messrs. Hicks, Pratt, McClelland, Morrow, Wilson, O'Neal and Brown of Pike.

## ON MANUFACTURES AND COMMERCE.

Messrs. Graff, Painter, Pancake, Peckenpough, Phillips, Robbins and Shull.

## ON THE AFFAIRS OF STATE'S PRISON.

Messrs. Pratt, Carr, Hosbrook, Hall, Hubbard, Isom and Jones.

## ON THE AFFAIRS OF THE CITY OF INDIANAPOLIS.

Messrs. Morgan, Coburn, Stone, Caylor, Cox, Crim and Davis of Dubois.

## ON CLAIMS.

Messrs. Usher, Hammond, Shook, Moore, Donaldson, Essex and Nelson.

## ON ROADS.

Messrs. Watt of Union, Humphreys, Withers, Lank, Wittenmeyer, Thorn and Haywood.

## JOINT STANDING COMMITTEES.

## ON PUBLIC BUILDINGS.

Messrs. Hosbrook, Simler and Stayner.

## ON THE CANAL FUND.

Messrs. Bird, Thompson of Carroll and Watson.

## ON THE STATE LIBRARY.

Messrs. Ross, Chapman and Hicks.

The Speaker announced the following

## ORDER OF BUSINESS:

- I. Reading of the Journal.
- II. Petitions, Memorials and Remonstrances.
- III. Reports from Standing Committees:
  1. On Elections.
  2. On Ways and Means.
  3. On the Judiciary.
  4. On Education.
  5. On Military Affairs.
  6. On the Affairs of the State Prison.
  7. On the Affairs of the Town of Indianapolis.
  8. On Claims.
  9. On Roads.
  10. On Canals and Internal Improvements.
  11. On Agriculture.
  12. On Corporations.
  13. On the State Bank.
  14. On Public Expenditures.
  15. On the Trust Fund.
  16. On Benevolent and Scientific Institutions.
  17. On Manufactures and Commerce.

#### IV. Reports from Joint Standing Committees.

1. On Public Buildings.
2. On the Canal Fund.
3. On the State Library.

#### V. Reports from Select Committees.

#### VI. Resolutions of the House.

#### VII. Joint Resolutions.

#### VIII. Bills.

#### IX. Orders of the Day.

On motion of Mr. Watt,

Two hundred copies of the Standing Committees, and two hundred copies of the Standing Rules were ordered to be printed for the use of the House.

#### PETITIONS, &C., PRESENTED.

By Mr. Coburn,

The petition of David S. Beatty, of Marion county, for the relief of the widow and heirs of Cornelius Ferre, deceased.

Which,

On motion,

Was referred to a select committee of Messrs. Coburn, Hosbrook, and Morgan.

By Mr. Ross.

The petition of citizens of Franklin county, on the subject of electing supervisors and the distribution of road tax of said county.

Which,

On motion,

Was referred to a select committee of Messrs. Ross, Riley, Watt of Union, Shook and Clark.

#### RESOLUTIONS, &C.

Mr. Williamson offered the following resolution :

*Resolved*, That the House will, the Senate concurring therein, proceed to the election of a United States Senator on the 7th instant, at 10 o'clock in the forenoon; and that the Senate be informed of the adoption of this resolution.

Mr. Chapman moved to amend the resolution by striking out "7th," and inserting "8th" instant.

Which motion prevailed.

The question recurring on the adoption of the resolution,  
Was decided in the affirmative.

Mr. Thorn offered the following resolution :

*Resolved*, That the pay of the Delegates of the Convention, from and after the 29th day of January, 1851, shall be reduced to one dollar and fifty cents per day; and that should they continue in session to or beyond the 12th of February, that their pay shall entirely cease.

Mr. Humphreys moved to strike out the "29th," and insert the "15th" day of January, 1851.

A question of order being raised as to the right of the Speaker to entertain such a resolution, the matter was informally passed for the present.

Mr. Humphreys offered the following resolution :

*Resolved*, That the House will, the Senate concurring therein, go into the election of Canal Trustee on Friday, the 10th instant, at 2 o'clock, P. M.

Mr. Johnston moved to amend by striking out "Friday the 10th," and insert "Friday the 3d."

Which motion did not prevail.

Mr. Edwards moved to amend the resolution by striking out the words "Canal Trustee," and insert, "Trustee of the Wabash and Erie Canal."

Which motion prevailed.

The question then recurring on the adoption of the resolution,  
Was decided in the affirmative.

On motion by Mr. Coburn,

*Resolved*, That the House will, the Senate concurring, go into the election of a Judge of the Marion Court of Common Pleas on Saturday next, at 2 o'clock, P. M.

On motion by Mr. Bradley,

*Resolved*, That a committee of thirteen, to consist of one member from each of the Judicial Circuits, be appointed by the Speaker, to whom shall be referred the subject of fixing the number of Senators and Representatives in the General Assembly, and of apportioning the same amongst the several counties of the State.

- 1st District, Mr. Marquess,
- 2d District, Mr. Rice,
- 3d District, Mr. Armstrong,
- 4th District, Mr. Lewis,
- 5th District, Mr. Hicks,
- 6th District, Mr. Watts,
- 7th District, Mr. Houghman,
- 8th District, Mr. Thompson of Carroll,
- 9th District, Mr. Mercer,
- 10th District, Mr. Goodwin,
- 11th District, Mr. Thompson of Delaware,
- 12th District, Mr. Elkins,
- 13th District, Mr. Ross,

Were appointed said committee.

Mr. Stone offered the following resolution :

*Resolved*, That the House go into committee of the whole, on the Governor's message, at 1 o'clock, P. M.

Mr. Chapman moved to amend by striking out "1 o'clock, P. M.," and inserting "10 o'clock, A. M."

Which amendment was accepted by the mover.

The question then recurring on the adoption of the resolution, as amended, was decided in the affirmative.

#### BILLS, &C.

Mr. Edwards introduced

No. 4. A bill authorizing the Terre Haute and Richmond Railroad Company to issue bonds for the sole purpose of borrowing money to complete said road, and to secure their repayment by mortgaging the property of said company.

Which was read a first, second, and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Phillips introduced

No. 5. A bill to incorporate the town of Vernon, in Jennings county.

Which was read a first time, and,

On motion,

The rule was suspended and the bill read a second time and referred to the committee on Corporations.

On motion,

The order of business was suspended, and Mr. Ross, from a select committee, made the following report :

MR. SPEAKER :

A majority of the committee to whom was referred the resolution

relating to the number of papers to be subscribed for on the part of this House, and to consider the subject of taking papers generally, have instructed me to report the same back, with the following resolution, and recommend the adoption of the same:

*Resolved*, That the Door-keeper is hereby instructed to subscribe for three copies of the Daily Journal, three copies of the Tri-Weekly Sentinel, one copy of the German paper, one copy of the Locomotive, and one copy of the Statesman for each member of this House; two copies of the Daily Journal and two copies of the Tri-Weekly Sentinel, to be done up and sent as each member may direct.

Mr. Watt moved to concur with the following amendment:  
"Strike out all except the Journal and Sentinel."

Which motion prevailed.

Mr. Pratt introduced

No. 6. A bill in relation to the assessment and collection of a specific road tax in Deer Creek township, Cass county.

Which was read a first time and passed to a second reading.

The order of business being suspended,

On motion by Mr. Essex,

*Resolved*, That the House will, the Senate concurring therein, proceed to an election of a Judge for the Third Judicial Circuit, on Friday next, at 10 o'clock, A. M.

Mr. Pratt introduced

No. 7. A bill for the relief of the inhabitants of Congressional township No. 25, north of range No. 2 East, in Cass county.

Which was read a first time and passed to a second reading on to-morrow.

Mr. Elkins introduced

No. 8. A bill to provide for the election of Supervisors by districts in the counties of Wells, Allen, Noble and Steuben.

Which was read a first time, when

Mr. Elkins moved to suspend the rule and read the bill a second time now,

Which motion did not prevail.

Mr. Thorn introduced

No. 9. A bill relating to the Board of Commissioners of Knox county.

Which was read a first time.

Mr. Thorn moved to suspend the rule and read the bill a second time now.

Which motion did not prevail.

The hour having arrived,

The House resolved itself into committee of the whole on the Governor's message,

Mr. Hicks in the chair.

After remaining in session some time, the committee arose and made the following report through Mr. Hicks, their Chairman :

MR. SPEAKER :

The committee of the whole House, to whom was referred the annual message of his Excellency the Governor of Indiana, have, according to order, had the same under consideration, and have directed me to report that they have adopted sundry resolutions in relation thereto, in which the concurrence of the House is respectfully requested.

The House then proceeded to the consideration of the resolutions of the committee jointly :

1. *Resolved*, That so much of the Governor's message as relates to a more just, equal and effective assessment of property, moneys, rights, credits, &c., be referred to the committee on Ways and Means.

2. *Resolved*, That so much of the Governor's message as relates to a geological and topographical survey of the State, be referred to a select committee of one from each Congressional District.

3. *Resolved*, That so much of the Governor's message as relates to canals and internal improvements, be referred to the committee on Canals and Internal Improvements.

4. *Resolved*, That so much of the Governor's message as refers to agriculture, be referred to the committee on Agriculture.

5. *Resolved*, That so much of the Governor's message as relates to the subject of education, be referred to the committee on Education.

6. *Resolved*, That so much of the Governor's message as refers to the benevolent institutions, be referred to the committee on Benevolent and Scientific Institutions.

7. *Resolved*, That so much of the Governor's message as relates to an act for the relief of Patrick McGinley, be referred to the committee on the Judiciary.

8. *Resolved*, That so much of the Governor's message as relates

to procuring and filing one copy of the several newspapers of this State, be referred to the committee on the State Library.

9. *Resolved*, That so much of the Governor's message as refers to colonization, be referred to a select committee of one from each Congressional District.

10. *Resolved*, That so much of the Governor's message as refers to Corporations, be referred to the committee on Corporations.

11. *Resolved*, That so much of the Governor's message as refers to the erection of a building for the keeping of the arms of the State, be referred to the committee on Military Affairs.

12. *Resolved*, That so much of the Governor's message as relates to swamp lands donated by the government to the State of Indiana, be referred to a select committee of twelve.

13. *Resolved*, That so much of the Governor's message as refers to the State's Prison, be referred to the committee on States's Prison.

14. *Resolved*, That the message of the Governor was patriotic, intelligent and statesman-like, and that so much of it as relates to the Union, be referred to the hearts of the people.

15. *Resolved*, That so much of the Governor's message as relates to the industrial exhibition of all nations, at London, in May next, be referred to the committees on Agriculture and Science.

16. *Resolved*, That so much of the Governor's message as refers to reducing the number of Senators and Representatives, be referred to the committee to apportion the State.

17. *Resolved*, That so much of the Governor's message as refers to the jurisdiction of justices of the peace, in criminal cases, be referred to the committee on the Judiciary.

18. *Resolved*, That so much of the Governor's message as relates to the Vincennes University against the State, be referred to the committee on the Judiciary.

19. *Resolved*, That so much of the Governor's message as relates to the expenditures of money by the officers and trustees of the several public Asylums in this city, be referred to the committee on Claims.

20. *Resolved*, That so much of the Governor's message as relates



to state agricultural societies, be referred to the committee on Agriculture.

21. *Resolved*, That so much of the Governor's message as refers to imprisonment in the county jails, be referred to the committee on the State Prison.

22. *Resolved*, That so much of the Governor's message as relates to the purchase of books to compose a library for the convicts, be referred to the committee on the State Prison.

23. *Resolved*, That so much of the Governor's message as refers to the glory of our free institutions, the perpetuity of our Union, and the list of compromise measures passed by the last Congress, be referred to a select committee composed of one from each Congressional District, with instructions to report suitable resolutions.

Which resolutions were concurred in jointly, and the Speaker appointed,

1st District, Mr. Graff,  
 2d District, Mr. Watts of Jefferson,  
 3d District, Mr. Crawford,  
 4th District, Mr. Lindsey,  
 5th District, Mr. Coburn,  
 6th District, Mr. Wilson,  
 7th District, Mr. Usher,  
 8th District, Mr. Harris,  
 9th District, Mr. Millikan,  
 10th District, Mr. Bird,

Committee on resolution No. 2.

From 1st District, Mr. Hall,  
 2d District, Mr. Hamilton,  
 3d District, Mr. Armstrong,  
 4th District, Mr. Lawrence,  
 5th District, Mr. Brown of Shelby,  
 6th District, Mr. Isom,  
 7th District, Mr. Johnston,  
 8th District, Mr. Patterson of Tippecanoe,  
 9th District, Mr. Donaldson,  
 10th District, Mr. Lank,

Committee on resolution No. 9.

Messrs. Davis of Scott, Pratt, Usher, Watt of Union, Conner, Shook, Harrison, Gentry, Hosbrook, Essex, Phillips and Hubbard, committee on resolution No. 12.

From 1st District, Mr. Hutchinson,  
 2d District, Mr. Chapman,  
 3d District, Mr. Riley,  
 4th District, Mr. Stone,  
 5th District, Mr. Conner,  
 6th District, Mr. Williamson,  
 7th District, Mr. McCarty,  
 8th District, Mr. Thompson of Carroll,  
 9th District, Mr. Bradley,  
 10th District, Mr. Morrow,  
 Committee on resolution No. 23.

#### ORDERS OF THE DAY.

#### *Bills on Second Reading.*

No. 1. A bill to enable Thomas G. Alvord to file his bill in the Laporte circuit court.

Was read a second and third time, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof

Mr. Chapman moved that the House adjourn.

Which motion did not prevail.

On motion by Mr. Brown of Shelby,

*Resolved*, That when this House adjourn on this day, that it adjourn to meet to-morrow morning at 9 o'clock.

A message from the Senate, by Mr. Emerson, their Secretary ;

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the resolution of the House, providing for the election of a President Judge of the Third Judicial Circuit on Friday next, without amendment.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the resolution of the House, providing for the election of a Judge of the Marion court of common pleas, without amendment.

Message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have adopted the following resolution, viz :

*Resolved*, That the Senate will, the House concurring therein, go into the election of Warden of the State's Prison on Thursday next, at 2 o'clock, P. M.

In which the concurrence of the House is respectfully requested.

On motion by Mr. Willard,  
The resolution and message was laid upon the table.

On motion by Mr. Millikan,  
The House adjourned.

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THURSDAY MORNING, Jan. 2, 1851.

The journal was read and adopted.

PETITIONS, &C., PRESENTED.

By Mr. Pratt ;

The memorial of the county commissioners of Cass county to reduce the general road tax law.

Which,

On motion,

Was referred to the committee on Roads.

By Mr. Clark ;

The petition from sundry citizens of Lawrenceburgh and vicinity, in regard to the extension of the limits of the corporation beyond the plot of said town.

Which,

On motion,

Was referred to a select committee of five, consisting of Messrs. Clark, Armstrong, Shook, Ross and Withers.

By Mr. McClelland ;

A petition from sundry citizens of the county of Clinton, in regard to a certificate of purchase held by John Mohn.

Which,

On motion,

Was referred to a select committee consisting of Messrs. McClelland, Patterson of Tippecanoe and Marvin.

By Mr. Moore;

The memorial of the gentlemen and ladies of the city of Columbus, on the subject of prohibiting the trade and traffic in spirituous liquors within the corporation of said city.

Which,

On motion,

Was referred to a select committee consisting of Messrs. Moore, Phillips, Essex, Watson and Hicks.

By Mr. Graff;

The memorial and depositions in the case against Moses P. Morgan, justice of the peace.

Which,

On motion,

Was referred to the committee on the Judiciary.

By Mr. Jones;

The petition of the stockholders of the "LaGrange Phalanx," of the county of LaGrange, requesting that an act may be passed, either declaring the charter void, or appointing commissioners to appraise and distribute the property of the corporation among the stockholders, &c.

Which,

On motion,

Was referred to a select committee consisting of Messrs. Jones, Stayner, Pancake, Bird and Blue.

By Mr. Thompson;

The petition of sundry citizens of the county of Carroll, requesting that the number of days of the working of the public highways be left discretionary with the supervisors of the several road districts.

Which,

On motion,

Was referred to the committee on Roads.

By Mr. Swihart of Wabash;

The petition of sundry citizens of the counties of Kosciusko and Wabash, in regard to a State road.

Which,

On motion,

Was referred to a select committee of Messrs. Swihart of Wabash, Thompson of Carroll and Patterson of Fulton.

By Mr. Essex;

The petition of Geo. Phillips, praying for a divorce from his wife Eliza.

Which,

On motion by Mr. Franklin,

Was laid upon the table.

By Mr. Pratt;

The petition of John C. Bright and 55 others, praying that a divorce be granted to Joshua Carithers from his wife Eliza Ann Carithers.

Mr. Franklin moved to lay the petition on the table.

The ayes and noes being demanded by Messrs. Franklin and Hicks,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Blue, Bulla, Carr, Clark, Coburn, Conner, Crawford, Davis of Scott, Donaldson, Franklin, Hammond, Hicks, Humphreys, Jackson, Johnston, Lawrence, Marshall, McCarty, McClelland, McKim, McMakin, Morgan, Painter, Rice, Riley, Robbins, Ross, Shook, Shull, Simler, Stayner, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Walls, Watson, Willard, Williamson, Wilson, Withers, Wittemeyer, and Mr. Speaker—47.

*Those who voted in the negative were,*

Messrs. Bradley, Brown of Pike, Brown of Shelby, Campbell, Caylor, Chapman, Cowan, Cox, Crim, Edwards, Elkins, Essex, Fleece, Gentry, Goodman, Goodwin, Graff, Hall, Hamilton, Harris, Harrison, Haywood, Hosbrook, Houghman, Hubbard, Hutchinson, Isom, Jones, Jordan, Lank, Lewis, Lindsey, Marquess, Mercer, Milikan, Moore, Morrow, Nelson, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Peckenpaugh, Phillips, Pratt, Reynolds, Stone, Schwartz, Watt, and Watts—49.

So the motion did not prevail.

On motion by Mr. Pratt,

The petition was then referred to the committee on the Judiciary.

By Mr. Bird;

A petition to vacate the town of Charleston, in Huntington county;

Which,

On motion,

Was referred to the committee on Corporations.

By Mr. Lewis;

A petition from sundry citizens of Warwick county, to grant them a State road;

Which,

On motion,

Was referred to the committee on Roads.

On motion by Mr. Essex,

The petition of George Phillips, praying a divorce, was taken from the table and referred to the committee on the Judiciary.

By Mr. Hammond;

A petition from the Board of Commissioners of Morgan county, asking the Legislature to give them discretionary power in regard to the allowances of county Auditor in said county;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Hammond, Hicks and Gentry.

#### REPORTS OF COMMITTEES.

Mr. Coburn, from a select committee, made the following report:

MR. SPEAKER :

The committee to which was referred the petition of David S. Beaty, administrator of the estate of Cornelius Ferree, deceased, report:

That they have examined the same, and would respectfully recommend the passage of the accompanying bill:

No. 10. A bill to authorize the appointment of a guardian of the person and estate of the person, therein named, and for other purposes.

Which was read a first, second and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Chapman, from a select committee, made the following report:

MR. SPEAKER :

The committee to whom was referred the subject of cleansing and improving the Representative Hall, have had the subject under consideration, and have directed me to report:

That although they have not been able to mature an entire plan, they recommend that the carpet on the Hall and tables be taken up and cleansed, and that the stove-pipes be all taken down, cleaned and put up in good order.

And your committee ask further time to consider this subject.

Which was concurred in.

On motion by Mr. Stone,

*Resolved*, That the credentials of the members of this House be referred to the committee on Elections.

Mr. Hosbrook offered the following resolution :

*Resolved*, That the Door-keeper be authorized to contract for one copy of the German newspaper published in this city, and also for the Statesman and Locomotive for each member.

Mr. Patterson of Tippecanoe moved to lay the resolution on the table.

The ayes and noes being demanded by Messrs. Hosbrook and —,

*Those who voted in the affirmative were,*

Messrs. Brown of Pike, Bulla, Campbell, Carr, Clark, Cowan, Cox, Crawford, Edwards, Fleece, Franklin, Goodman, Hall, Hammond, Harris, Haywood, Humphreys, Hutchinson, Jackson, Johnston, Jones, Jordan, Lank, Lawrence, Lindsey, Marshall, Marvin, McCarty, McKim, McMakin, Millikan, Moore, Morrow, Nelson, Painter, Patterson of Tippecanoe, Peckenpaugh, Phillips, Pratt, Reynolds, Rice, Riley, Robbins, Ross, Shook, Shull, Stayner, Schwartz, Thompson of Carroll, Thompson of Delaware, Thorn, Walls, Watt, Watts, Williamson, Wilson, Withers, and Wittenmeyer—58.

*Those who voted in the negative were,*

Messrs. Armstrong, Bird, Blue, Bradley, Caylor, Chapman, Curn, Conner, Crim, Davis of Scott, Donaldson, Elkins, Essex, Gentry, Goodwin, Graff, Hamilton, Harrison, Hicks, Hosbrook, Houghman, Hubbard, Isom, Lewis, Marquess, McClelland, Mercer, Morgan, Patterson of Marshall, Simler, Swihart of Huntington, Swihart of Wabash, Usher, Watson, Willard, and Mr. Speaker—36.

So the resolution was laid upon the table.

Mr. Jones offered the following resolution:

*Resolved*, That the Door-keeper be authorized to contract for one copy of the German newspaper published in this city for each member of this House during the session.

Mr. Millikan moved to lay it upon the table.

The ayes and noes being demanded by two Representatives,

*Those who voted in the affirmative were,*

Messrs. Benson, Bird, Bulla, Conner, Cowan, Edwards, Fleece, Goodman, Hammond, Lank, Lewis, McCarty, Millikan, Morrow, Nelson, Painter, Peckenpaugh, Phillips, Reynolds, Rice, Riley, Robbins, Watt, Williamson, Wilson, and Wittenmeyer—26.

Messrs. Armstrong, Blue, Bradley, Brown of Pike, Brown of Shelby, Campbell, Carr, Caylor, Chapman. Clark, Coburn, Cox, Crawford, Crim, Davis of Scott, Elkins, Essex, Franklin, Gentry, Goodwin, Graff, Hall, Hamilton, Harris, Harrison, Haywood, Hicks, Hosbrook, Hubbard, Houghman, Humphreys, Hutchinson, Isom, Jackson, Johnston, Jones, Jordan, Lawrence, Lindsey, Marquess, Marshall, Marvin McClelland, McKim, McMakin, Mercer, Moore, Morgan, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Ross, Shook, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Walls, Watson, Watts, Willard, Withers, and Mr. Speaker—70.

So the motion did not prevail.

Mr. Hicks moved to amend by inserting, the Indiana Statesman.

Mr. Stone moved to amend the amendment by adding, the Locomotive.

Which motion did not prevail.

The question then recurring on the amendment of Mr. Hicks,

Was decided in the negative.

Mr. Rice moved to amend, by authorizing the Door-keeper to contract for one copy of the Dutch newspaper of this city for such members only as wish said paper.

Which motion did not prevail.

The question then recurring on the adoption of the resolution,

Was decided in the affirmative.

Mr. Harrison offered the following resolution

*Resolved*, That the Door-keeper be instructed to purchase three additional copies of the Tri-Weekly Sentinel for the use of each member of this House.

Which was not adopted.

On motion by Mr. Edwards,

*Resolved*, That the Auditor of State is hereby requested to report to this House an abstract of the enumeration for the year 1850, of white male inhabitants over twenty-one years of age in the several counties of this State, under an act of the General Assembly, approved January 19, 1850.

On motion by Mr. Hall,

*Resolved*, That the committee on Roads be instructed to inquire into the expediency of so amending the road law as to require young men at the age of eighteen to perform road labor.



And further,

*Resolved*, That they so amend the present law as to allow supervisors a reasonable compensation, and report by bill or otherwise.

On motion by Mr. Franklin,

*Resolved*, That the committee on Roads be instructed to inquire into the expediency of repealing all the local and special road laws now in force in the State of Indiana; and that they report by bill or otherwise.

Mr. Shook offered the following resolution :

*Resolved*, That it is the sense of this House, that when the additional appropriation has to be made to meet the expenses of the Constitutional Convention, the per diem shall not be computed beyond the 1st day of February next.

Which,

On motion by Mr. Hicks,

Was laid upon the table.

The question of order raised on the resolution offered by Mr. Thorn, on yesterday, in relation to the per diem of members of the Convention, was decided by the Chair, and the resolution ruled out of order.

On motion by Mr. Schwartz,

*Resolved*, That the committee on Education is hereby instructed to inquire into the expediency of causing copies of "an act entitled an act to extend and increase the benefits of common schools, approved January, 1849, and the several acts amendatory thereto," to be published and distributed to the officers under said laws; also, a sufficient number to be distributed for general information.

Mr. Johnston moved to reconsider the vote on the adoption of the following resolution, Dec. 30, 1850:

*Resolved*, That when this House adjourn, it adjourn to meet tomorrow morning at 9 o'clock, and that that be the order of meeting till otherwise ordered by the House.

Which motion prevailed.

Mr. Johnston moved to amend the resolution by adding, after the word adjourn in the first line, the words, "to-day," and further amend by adding after the word "meeting," the words, "every morning."

Which resolution and proposed amendment,  
 On motion by Mr. Hicks,  
 Were laid upon the table.  
 On motion by Mr. Goodwin,

*Resolved*, That the Door-keeper be instructed to furnish each member with the acts of 1848.

On motion by Mr. Marquess.

*Resolved*, That the select committee on Education be authorized to inquire into the expediency of local laws on the common school law.

Mr. Clark offered the following resolution:

*Resolved*, That the committee on Education be instructed to inquire into the expediency of levying an additional tax of five cents on a hundred dollars of taxable property for common school purposes, and report by bill or otherwise.

Which,

On motion by Mr. Watts of Jefferson,  
 Was laid on the table.

On motion by Mr. Patterson of Tippecanoe,

*Resolved*, That the committee of Ways and Means be instructed to inquire into the expediency of electing township assessors in the several counties in this State, and report by bill or otherwise.

Mr. Humphreys offered the following resolution:

*Resolved*, That the Door-keeper be instructed to contract for as many numbers of the Indiana State Sentinel as of the Indiana Journal for the use of the members of this House.

The question being on the adoption of the resolution, the ayes and noes being demanded by Messrs. Goodwin and Johnston,

*Those who voted in the affirmative were,*

Messrs. Benson, Bradley, Campbell, Carr, Chapman, Cox, Crim, Davis of Scott, Essex, Franklin, Gentry, Hall, Hamilton, Harrison, Humphreys, Hutchinson, Marquess, McClelland, Patterson of Marshall, Peckenpaugh, Shull, Schwartz, Swihart of Wabash, Willard, Wilson, and Mr. Speaker—26.

*Those who voted in the negative were,*

Messrs. Armstrong, Bird, Blue, Brown of Pike, Bulla, Caylor, Clark, Coburn, Conner, Cowan, Crawford, Donaldson, Edwards, Elkins, Fleece, Goodman, Goodwin, Graff, Hammond, Harris, Haywood, Hicks, Hosbrook, Houghman, Hubbard, Isom, Jackson, Johnston, Jones, Jordan, Lank, Lawrence, Lewis, Lindsey, Marshall, Marvin, McCarty, McKim, McMakin, Mercer, Millikan, Moore, Morgan, Morrow, Nelson, Pancake, Patterson of Tippecanoe, Phillips, Pratt, Reynolds, Rice, Riley, Robbins, Ross, Shook, Simler, Stayner, Stone, Swihart of Huntington, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Walls, Watson, Watt, Watts, Williamson, Withers, and Wittenmeyer—70.

So the resolution was not adopted.

Mr. Brown of Shelby being excused from voting, on the account of being of kin to the editors and publishers of the Sentinel.

On motion by Mr. Lewis,

*Resolved*, That the committee on Roads are hereby instructed to inquire into the expediency of so amending the present road law as to enable the supervisors to know how many days they can compel each citizen to work thereon, and so as to free it from all the ambiguity that now so beautifully adorns it.

#### BILLS INTRODUCED.

By Mr. Pratt;

No. 11. A bill requiring the Secretary of State to issue a patent to Daniel R. Smith for a tract therein named.

Which was read a first time, and passed to a second reading.

By Mr. Hutchinson;

No. 12. A bill to amend section 11, chapter 56, of the revised Statutes of 1843, authorizing Coroners to pay the expenses of inquest and burial.

Which was read a first time and passed to a second reading.

By Mr. Shull;

No. 13. A bill to incorporate the Bluffton, Camden and Winchester Plank Road Company.

Which was read a first time and passed to a second reading.

By Mr. Brown of Pike;

No. 14. A bill defining the duties of the county Treasurer of Pike county.

Which was read a first time and passed to a second reading.

By Mr. Bradley;

No. 15. A bill to incorporate the Laporte male and female seminary.

Which was read a first time and passed to a second reading.

By Mr. Mercer ;

No. 16. A bill to legalize the election of Samuel Guisinger to the office of treasurer of Elkhart county.

Which was read a first, second and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Bird ;

No. 17. An act to repeal an act therein named.

Which was read a first time and passed to a second reading.

#### ORDERS OF THE DAY.

#### *Bills on their second reading.*

No. 3. A bill for the relief of John Henry Lewis Gerke and Frederick Myer.

Was read a second and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

No. 6. A bill in relation to the assessment and collection of a specific road tax in Deer Creek township, Cass county.

Which was read a second time and ordered to be engrossed.

No. 7. A bill for the relief of the inhabitants of congressional township No. 25, north of range No. 2 east, in Cass county.

Was read a second time and ordered to be engrossed.

No. 8. A bill to provide for the election of supervisors by districts in the county of Wells, Allen, Noble and Steuben.

Was read a second time,

When,

On motion by Mr. Donaldson,

The bill was amended by adding the county of Miami.

On motion by Mr. Jordan,

The bill was amended by adding the county of Henry.

On motion by Mr. Jones,

The bill was amended by adding the county of LaGrange.

Mr. Hosbrook moved to amend the bill by adding all the counties of the State, so as to make the law general.

On motion by Mr. Franklin,

The bill and pending amendments were referred to the committee on Roads.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolutions, to-wit :

*Resolved*, That the Senate has heard with deep sensibility the

annunciation of the demise of Hon. Robert W. Lyon, late State Senator from Fountain county; also, with like sensibility the annunciation of the demise of Hon. Andrew M. Carnahan, Representative for Fountain county to the Legislature of last session.

*Resolved*, That the Senate tenders to the surviving widow and relatives of each of the deceased, expressions of sympathy in their afflicting bereavements, and as a testimony of respect for the memory of said deceased, that the members and officers of the Senate will wear crape on the left arm for thirty days.

Ordered that the Secretary inform the House of Representatives of the adoption of said resolutions.

On motion,

The order of business was suspended, and  
Mr. Marquess offered the following resolution:

*Resolved*, That this body has heard with deep sensibility, the communications of the Senate, announcing the demise of the Hon. Robert W. Lyon, late State Senator from Fountain county, and the demise of the Hon. Andrew M. Carnahan, Representative from Fountain county to the Legislature of last winter.

Which was unanimously adopted.

The House then, as a token of respect for the memory of those mentioned in the foregoing resolution,

On motion by Mr. Williamson,  
Adjourned until 2 o'clock, P. M.

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2 o'clock, P. M.

On motion,

Mr. Edwards took the chair, the Speaker being absent.

A message from the Senate, by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit:

No. 1. An act for the relief of the borrowers of the school fund.  
In which the concurrence of the House of Representatives is respectfully requested.

The bill contained in the foregoing message was read a first time and passed to a second reading.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution, to-wit :

*Resolved*, That the Senate will, the House of Representatives concurring, go into the election of State Librarian on Saturday next, at 3 o'clock, P. M.

In which the concurrence of the House is respectfully requested.

Mr. Williamson moved to lay the resolution of the Senate on the table.

Which motion did not prevail.

The question then recurring on concurring in the resolution of the Senate, was decided in the affirmative.

#### HOUSE BILLS ON SECOND READING.

No. 8. A bill to provide for electing supervisors by districts, in the counties of Wells, Allen, Noble, and Steuben ;

Was read a second time, and,

On motion by Mr. Hicks,

Referred to the committee on Roads.

The order of business being suspended,

Mr. Willard presented the petition of the heirs of Joseph Franklyn, deceased.

Which,

On motion,

Was referred to the committee on the Judiciary.

The order of business being suspended,

Mr. Franklin introduced

No. 18. A bill to repeal an act entitled "an act fixing the salary of the Auditor of the county of Owen."

Which was read a first time and passed to a second reading.

The order of business being suspended,

Mr. Pancake introduced

No. 19. A bill to change the name of Melissa Jane Gillespie to that of Melissa Jane Blair.

Which was read a first, second, and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

The order of business being suspended therefor,

Mr. Watson introduced

No. 20. A bill to abolish the office of school commissioner and county agent in Brown county.

Which was read a first time and passed to a second reading.

The rules being suspended.

Mr. Marquess presented the petition of sundry citizens of Rob Roy, in Fountain county, for the opening of certain streets in said town,

Which,

On motion,

Was referred to a select committee consisting of Messrs. Marquess, Benson, and McMakin.

The order of business being suspended therefor,

Mr. Hosbrook presented the petition of Messrs. Koontz and Burk, in relation to water rents on the Central Canal.

Which,

On motion,

Was laid on the table.

The Speaker laid before the House the following communication from the State Librarian :

STATE LIBRARY, }  
INDIANAPOLIS, Jan. 1, 1851. }

SIR:—Requesting that you will lay the accompanying report before the honorable body over which you preside,

I am very respectfully,

Your obedient servant

JOHN. B. DILLON.

On motion by Mr. Hick,

The report of the State Librarian was referred to the committee on the State Library.

The Speaker laid before the House the annual report of the Warden of the State Prison.

On motion by Mr. Brown of Shelby,

The report was laid upon the table, and one thousand copies ordered to be printed.

The Speaker laid before the House the following communication from the Cashier of the Branch of the State Bank of Indiana at Indianapolis:

BRANCH BANK, }  
INDIANAPOLIS, Dec. 31, 1850. }

HON. EBENEZER DUMONT,

*Speaker of the House of Representatives,*

Please present to the body over which you preside the enclosed

report of the condition of this Bank as exhibited on our books on the 16th ultimo.

Respectfully yours,  
THOS. H. SHARPE,  
*Cashier.*

On motion,

The report accompanying the above communication was referred to the committee on the State Bank.

The Speaker laid before the House the following communication from the President of the Board of Trustees of the Wabash and Erie Canal.

INDIANAPOLIS, Dec. 31, 1850.

HON. EBENEZER DUMONT,  
*Speaker of the House of Representatives :*

SIR—I have the honor herewith to hand you the annual report of the Board of Trustees of the Wabash and Erie canal, to be laid before the House over which you preside.

Respectfully, your ob't serv't,  
CHARLES BUTLER,  
*President of the Board.*

Mr. Humphreys moved to lay the report of the Trustees of the Wabash and Erie canal on the table and order one thousand copies to be printed.

Mr. Ross moved to amend by striking out "one thousand" and inserting "five hundred."

Mr. Hicks moved to amend the amendment by striking out "five hundred" and inserting "one hundred."

The question then being on the motion to print one thousand copies,

Was decided in the negative.

The question then recurring on the motion to print five hundred copies of the report,

Was decided in the affirmative.

On motion by Mr. Conner,

The report of the Branches of the State Bank of Indiana at Evansville, New Albany, Bedford, South Bend, Terre Hatue, and Vincennes, were taken from the table and referred to the committee on the State Bank.

The Speaker laid before the House the following communication from the Auditor of State:



OFFICE OF AUDITOR OF STATE, }  
 INDIANAPOLIS, January 2, 1851. }

HON. E. DUMONT,  
*Speaker of the House of Representatives:*

SIR—Please lay before the House of Representatives the enclosed abstract of the enumeration of 1850, and oblige,

Very respectfully, yours, &c.,

E. W. H. ELLIS,  
*Auditor of State.*

On motion,

Two hundred copies of the report of the Auditor of State were ordered to be printed.

On motion by Mr. Phillips,

The House adjourned to meet to-morrow morning at 9 o'clock.

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FRIDAY MORNING, January 3, 1851.

The House met.

The Speaker being absent,

On motion,

Mr. Chapman took the chair.

A message from the Senate by Mr. Emerson:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House without amendment, to-wit:

No. 10. An act to authorize the appointment of a guardian of the person and estate of the person therein named, and for other purposes.

A message from the Senate by Mr. Emerson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit:

No. 10. An act authorizing Reason W. Prather to drain certain lowlands therein mentioned.

In which the concurrence of the House is respectfully requested.

PETITIONS, MEMORIALS, &C., PRESENTED.

By Mr. Wittenmeyer;

The petition of sundry citizens of the town of Perrysville, in the county of Vermillion, to open an alley in said town;

Which,

On motion,

Was laid on the table.

Mr. Rice was excused by the House from serving on the committee on the apportionment of the State,

And Mr. Bradley appointed on said committee.

By Mr. Millikan;

The petition of sundry citizens in school district No. 7, in Laporte county, for the purpose of assessing a tax upon the personal and real estate equal to \$300 in amount, on the inhabitants of said school district, to build a school house;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Millikan, Bradley, Patterson of Fulton, and Marshall.

By Mr. Millikan;

The remonstrance of sundry citizens of school district No. 7, in the county of Laporte, against the petition of sundry citizens in said school district for the levying of an extra tax to build said school house;

Which,

On motion,

Was referred to a committee consisting of Messrs. Millikan, Bradley, Patterson of Fulton, and Marshall.

By Mr. Gentry;

A petition from the committee of the Athenian Society of the Indiana University, soliciting this House to pass an act incorporating said Society;

Which,

On motion,

Was referred to a select committee of Messrs. Gentry, Watson and Moore.

By Mr. Graff;

The petition of James Steel, of Gibson county, for a divorce from his wife, Eliza Ann;

Which,

On motion,

Was referred to the committee on the Judiciary.

By Mr. Bird;

The petition of sundry citizens of Allen county, requesting a reduction of the tax on each 80 acre tract of land in said county;

Which,

On motion,

Was referred to the committee on the Judiciary.

By Mr. Swihart of Wabash;

The petition of sundry citizens of Wabash county, requesting that township business may be done up in the manner in which it is now done in the State of Ohio;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Swihart of Wabash, Bird and Elkins.

By Mr. Bradley;

The petition of sundry citizens of school district No. 8, in the county of Laporte, requesting an additional tax to be levied on their property for the purpose of building a school house in said district;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Millikan, Bradley and Patterson of Fulton.

By Mr. Millikan;

The petition of Thomas W. Sale, requesting the passage of a law constituting his homestead lands a school district, for the purpose of giving him the benefit of the common school laws;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Millikan, Bradley and Patterson of Marshall.

By Mr. Graff;

The petition of the Board of Examiners of common school teachers of Gibson county;

Which,

On motion,

Was referred to the committee on Education.

## REPORTS FROM STANDING COMMITTEES.

Mr. Willard, chairman of the committee on Ways and Means, made the following report :

The committee on Ways and Means, to whom was referred so much of the Governor's message as relates to a more just and efficient assessment of property, have unanimously instructed me to report the accompanying bill, and respectfully ask its passage :

No. 21. A bill to repeal an act giving further time to assessors, approved January 15, 1844, and all laws contravening the provisions of section 28, of chapter 12, of the Revised Statutes of 1843.

Which was read a first, second and third times, the rules being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and,

On motion by Mr. Davis of Scott,

*Resolved*, That the Senate, be invited to attend *instantly*, in the Hall of the House of Representatives, to proceed to the election of a President Judge of the Third Judicial Circuit.

The Senate came into the Hall, when both branches of the General Assembly proceeded, by joint ballot, to the election of President Judge of the 3d Judicial Circuit to fill the vacancy occasioned by the resignation of Hon. Cortland Cushing, Messrs. Ellis and Winstandley acting as tellers on the part of the Senate, and Messrs. Humphreys and Clark on the part of the House of Representatives.

On counting the votes it appeared that,

|                               |   |   |   |   |     |       |
|-------------------------------|---|---|---|---|-----|-------|
| Alexander. C. Downey received | - | - | - | - | 138 | votes |
| Blank                         | - | - | - | - | 6   | "     |

Alexander C. Downey having received a majority of all the votes given, was declared duly elected President Judge of the 3d Judicial Circuit, to fill the vacancy occasioned by the resignation of Hon. Cortland Cushing, to serve as such from the date of his election until the close of said unexpired term.

The Senate then retired to their chamber.

The Speaker laid before the House the following communication from the Door-keeper :

HALL OF THE HOUSE,  
JANUARY 2, 1851. }

MR. SPEAKER:

In compliance with a resolution of the body over which you have the honor to preside, instructing me to furnish each member with the acts of 1848, I called on the Librarian of State for the requisite number of said acts. The Librarian refuses to furnish them except to the individual members themselves.

Yours, truly,

JEPHTHA GARIGUS,

*Door-keeper of the House.*

The Speaker laid before the House the following communication from the Auditor of State:

OFFICE OF AUDITOR OF STATE, }  
INDIANAPOLIS, Jan. 3d, 1851. }

HON. E. DUMONT—*Sir*:

Please lay before the House over which you have the honor to preside, the annual report from this office, and oblige,

Very respectfully,

Your ob'tserv't,

E. W. H. ELLIS,

*Auditor of State.*

Mr. Ross moved to lay the annual report of the Auditor of State upon the table and order one thousand copies to be printed for the use of this House.

Mr. Essex proposed three thousand copies.

Mr. Willard proposed five thousand copies.

Mr. Chapman proposed five thousand copies, and two additional copies for each member of the Convention.

The question on printing five thousand three hundred was decided in the negative.

The question then being on the proposition to print five thousand copies of the report, was decided in the affirmative.

Mr. Swihart of Wabash, from a select committee made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of John Snell, and others, for a State road in Kosciusko and Wabash counties, have directed me to report the following bill and recommend its passage.

No. 22. A bill to locate a State road in the counties of Kosciusko and Wabash.

Which was read a first time and passed to a second reading.

Mr. Marquess from a select committee made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of the citizens of the town of Rob Roy, in Fountain county, have authorized me to report the following bill and recommend its passage:

No. 23. A bill to repeal an act entitled an act authorizing the commissioners of Fountain county to vacate a certain street in the town of Rob Roy, Fountain county.

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed.

#### RESOLUTIONS OF THE HOUSE.

Mr. Essex offered the following resolutions:

WHEREAS, The Hon. Colin McKinney, representative elect from the county of Bartholomew, departed this life before taking his seat as a member of this body; therefore,

*Be it resolved*, That the House of Representatives, deeply mourn the loss by death of one of their number, and while they submit with reverence to this afflicting dispensation of Divine Providence, they will long cherish the sterling virtues of their departed friend.

*Be it further resolved*, That the members of this General Assembly deeply condole with the widow and relatives of the deceased in their irreparable loss, and direct the clerk of this house to forward to the widow of the deceased a copy of these resolutions.

*Be it further resolved*, That the members of this General Assembly will wear the usual badge of mourning for thirty days.

Which were unanimously adopted.

On motion by Mr. Lank,

*Resolved*, That the committee on the Judiciary are hereby instructed to inquire into the expediency of providing by General Laws for the incorporation of companies, with liberal provisions for the encouragement of associations of industrial enterprise, for the pur-

pose of constructing rail and plank roads, turnpikes, and other improvements, with such guards and restrictions as will protect the public, and so as thereby to prevent so much local and special legislation on said subject, and to report by bill or otherwise.

Mr. Thorn offered the following resolution:

*Resolved*, That the committee on Ways and Means be instructed to inquire into the expediency of making an additional appropriation to defray the expenditures of the Constitutional Convention now in session in this city and of reducing the pay of each member thereof to the sum of one dollar and fifty cents per day, from and after the passage of said act, making said appropriation with leave to report by bill or otherwise.

Which was not adopted.

On motion by Mr. Bird,

*Resolved*, That the committee of Ways and Means be authorized to employ a clerk to assist in doing the business of said committee.

On motion by Mr. Moore,

*Resolved*, That a select committee, consisting of one from each Congressional District, be appointed to inquire into the expediency of making an appropriation to the Convention, now convened for the purpose of revising and amending the constitution, and report the probable amount necessary to enable them to complete the object for which they were convened.

Mr. Stone offered the following resolution:

*Resolved*, That the Door-keeper be instructed to ascertain from members of this House, the number of counties which voted in favor of the new school law at the August election in the year 1849, and also at the August election in 1850.

Which,

On motion by Mr. Humphreys,

Was laid upon the table.

On motion by Mr. Moore,

*Resolved*, That the committee on Swamp Lands be instructed to report a bill fixing the compensation of the County Surveyors engaged in making the necessary examination of the tracts of land we shall be entitled to under an act of Congress, passed on the 28th day of September, 1850.

On motion by Mr. Pratt,

*Resolved*, That the committee on the Judiciary be instructed to inquire whether an act entitled "an act for the relief of widows whose husbands die intestate, without any heirs lineally descended from them," approved January 19, 1850, is not contradictory and absurd; and whether further legislation upon the subject matter is not necessary to secure the relief contemplated by that law, with leave to report by bill or otherwise.

On motion by Mr. Jordan,

*Resolved*, That a select committee of one member from each Congressional District be appointed, to whom may be referred all papers on the subject of temperance.

Messrs. Jordan, Walls, Schwartz, Shook, Conner, Hammond, Usher, Thompson of Carroll, Patterson of Marshall, and Shull, were appointed said committee.

On motion by Mr. Pratt,

*Resolved*, That the committee on the Judiciary be instructed to bring in a bill making the modes in which writs of summons in actions of law and subpcenas in chancery are served upon the defendant or defendants, uniform; and that said committee be also instructed to inquire whether the present law, allowing the service of summons upon the defendant by leaving a copy thereof at his usual or last place of residence, does not require some modification to protect the rights of absent defendants.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED.

By Mr. Franklin;

No. 24. A bill to amend the charter of the Evansville and Illinois Railroad Company;

Which was read a first and second times, the rules being suspended therefor, and referred to the committee on Corporations.

By Mr. Wittenmeyer;

No. 25. A bill to open an alley in the town of Perrysville, in Vermillion county;

Which was read a first time and passed to a second reading.

By Mr. Pratt;

No. 26. A bill to revive the 61st section of an act entitled "an act to establish certain State roads therein named, and for other purposes," approved February 18th, 1839;

Which was read a first time and passed to a second reading.

By Mr. Williamson;

No. 27. A bill to repeal an act entitled an act relative to over-



seers of the poor; approved January 15, 1844, so far as relates to the county of Clay;

Which was read a first time and passed to a second reading.

By Mr. McKim;

No. 28. A bill to revive a certain act therein named;

Which was read a first time and passed to a second reading.

By Mr. Patterson of Tippecanoe;

No. 29. A bill to repeal an act therein named;

Which was read a first time and passed to a second reading.

By Mr. Harrison;

No. 30. A bill defining the duties of the County Treasurer of Lake county;

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed.

By Mr. Bradley;

No. 31. A bill relative to the Laporte and Plymouth Plank Road Company;

Which was read a first time and passed to a second reading.

By Mr. Goodwin;

No. 32. An act to repeal section 148, chapter 5, revised statutes of 1843;

Which was read a first time.

On motion,

The rules were suspended, the bill read a second time and referred to the committee on Roads.

The Speaker laid before the House the following communication from the State Librarian:

I have this moment learned that the Door-keeper of the House of Representatives reported to the house that the State Librarian refused to send the acts of Indiana of 1848, to the house, unless the members called in person for them. If the Door-keeper made such report, he made a very great error. He asked for 100 copies of the laws of 1848, to place on the members' desks. I informed him that there was not half that number in the Library, and that if I sent them all up to the house without any member being individually responsible for their return, the laws would be liable to be lost or destroyed; and I further told him that whenever a member sent for an act of 1848, by the Door-keeper, it would be furnished as long as one remained in the Library.

Very respectfully,

JOHN B. DILLON.

A message from the Senate by Mr. Emerson their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representa-

tives that the Senate has passed the following engrossed bill thereof, to wit:

No. 12. An act for the benefit of the New Albany and Salem Railroad Company;

In which the concurrence of the House is respectfully requested.

On motion by Mr. Usher;

The bill contained in the foregoing message was taken up,

The bill was read a first, second and third times, the rules being suspended therefor.

Mr. Patterson of Tippecanoe moved that the House adjourn:

Which motion did not prevail.

The question being, shall the bill pass?

The ayes and noes were demanded by two gentlemen.

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Campbell, Carr, Caylor, Chapman, Clark, Coburn, Conner, Cowan, Cox, Crawford, Crim, Davis of Scott, Donaldson, Edwards, Elkins, Essex, Fleece, Franklin, Gentry, Goodman, Goodwin, Graff, Hall, Hamilton, Hammond, Harris, Harrison, Haywood, Hicks, Hosbrook, Houghman, Hubbard, Humphreys, Hutchinson, Isom, Jackson, Johnston, Jones, Jordan, Lank, Lawrence, Lewis, Lindsey, Marquess, Marshall, McCarty, McClelland, McKim, Mercer, Millikan, Moore, Morgan, Morrow, Nelson, Painter, Pancake, Patterson of Marshall, Peckenpaugh, Phillips, Pratt, Reynolds, Rice, Riley, Robbins, Ross, Shook, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Walls, Watson, Watt, Watts, Willard, Williamson, Wilson, Withers, Wittenmeyer, and Mr. Speaker—95.

*Those who voted in the negative were,*

Messrs. Marvin and Patterson of Tippecanoe—2.

So the bill passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended to permit Mr. Coburn to introduce a bill.

On motion by Mr. Donaldson,

The House adjourned to meet at 2 o'clock, P. M.

2 o'clock, P. M.

House met.

The Speaker being absent,

On motion by Mr. Humphreys,  
Mr. Brown of Shelby took the chair.

Mr. Coburn introduced

No. 33. A bill to authorize County Auditors to appoint deputies;  
Which was read a first time and passed to a second reading.

## HOUSE BILLS ON THIRD READING.

No. 6. A bill in relation to the assessment and collection of a  
specific road tax in Deer Creek township, Cass county;  
Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 7. A bill for the relief of the inhabitants of Congressional  
township No. 5, north of range No. 2 east, in Cass county;  
Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

## HOUSE BILLS ON SECOND READING.

No. 11. A bill requiring the Secretary of State to issue a patent  
to Daniel K. Smith for a tract therein contained;  
Which was read a second time and ordered to be engrossed.No. 12. A bill to amend section 11, chapter 56, of the Revised  
Statutes of 1843, authorizing Coroners to pay the expenses of inquest  
and burial;

Which was read a second time and,

On motion by Mr. Chapman,

Was referred to the committee on the Judiciary.

No. 13. A bill to incorporate the Bluffton, Camden, and Win-  
chester Plank Road Company;

Which was read a second time and,

On motion by Mr. Shull,

It was referred to the committee on Corporations.

No. 14. A bill defining the duties of the county Treasurer of  
Pike county.

Was read a second time.

Mr. Donaldson moved to make the law general.

Mr. Franklin moved to refer the bill to the committee on the Ju-

diciary, with instructions to inquire into the expediency of making the law general.

The question being on the motion of Mr. Franklin to commit,  
Was decided in the affirmative.

No. 15. A bill to incorporate the Laporte Male and Female Seminary;

Was read second time, when,

On motion by Mr. Donaldson,

Was referred to the committee on Corporations.

No. 17. A bill to repeal an act therein named ;

Which was read a second time and ordered to be engrossed.]

No. 18. A bill to repeal an act entitled an act fixing the salary of the Auditor of the county of Owen ;

Which was read a second time and ordered to be engrossed.

No. 20. A bill to abolish the offices of School Commissioner and County Agent in Brown county ;

Was read a second time, when,

On motion,

It was referred to a committee consisting of Messrs. Watson, Hicks and Gentry.

#### SENATE BILLS ON SECOND READING.

No. 1. An act for the relief of the borrowers of the School Fund;

Which was read a second time, and,

On motion by Mr. Edwards,

It was referred to the committee on the Judiciary.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House, with sundry amendments, to-wit:

No. 1. An act to enable Thomas G. Alvord to file his bill in the Laporte Circuit Court.

No. 2. An act to change the times of holding courts in the Eighth Judicial Circuit.

In which amendments the concurrence of the House is respectfully requested.

On motion,

The following amendment of the Senate to bill of the House, No. 1, contained in the foregoing message ; strike out in the third section all after the word " passage."

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Pratt,

The amendment of the Senate to bill of the House, No. 2, contained in the foregoing message, was concurred in by the House.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit :

No. 14. An act to abolish the office of Auditor in the county of Ohio.

In which the concurrence of the House is respectfully requested.

Senate bill No. 14, contained in the foregoing message, was read a first and second times, the rules being suspended therefor, and,

On motion,

Referred to a select committee consisting of Messrs. Armstrong, Shook and Clark.

Mr. Usher was excused from serving on the select committee on Temperance.

Mr. Brown of Shelby, moved to reconsider the vote on the adoption of the resolution authorizing the appointment of one member from each Congressional District in the State on the subject of temperance.

Which motion did not prevail.

Mr. Goodman was appointed on the select committee on the subject of temperance, to supply the vacancy occasioned by the withdrawal of Mr. Usher from said committee.

On motion,

The order of business was suspended, and

Mr. Dumont introduced

No. 34. An act to extend the powers of the Lawrenceburgh and the Upper Mississippi Railroad Company ;

Which was read a first time and passed to a second reading.

Mr. Ross introduced

No. 35. A bill to incorporate the Cincinnati and Indianapolis Railroad Company ;

Which was read a first time and passed to a second reading.

The Speaker laid before the House the following communication from his Excellency, the Governor :

**HON. E. DUMONT,**

*Speaker of the House of Representatives :*

**SIR**—You will please lay before the House of Representatives the

enclosed petitions from the county of Jay on the subject of temperance, as requested.

Yours, &c.,

JOS. A. WRIGHT.

Mr. Brown moved to lay the memorial upon the table.

The ayes and noes being demanded by Messrs. Brown of Shelby, and Goodwin,

*Those who voted in the affirmative were,*

Messrs. Bird, Brown of Pike, Brown of Shelby, Carr, Caylor, Cowan, Cox, Elkins, Essex, Fleece, Franklin, Gentry, Harris, Haywood, Humphreys, Marquess, Marvin, McKim, McMakin, Nelson, Painter, Peckenpaugh, Schwartz, Swihart of Huntington, Swihart of Wabash, Willard, and Williamson—27.

*Those who voted in the negative were,*

Messrs. Armstrong, Benson, Blue, Bradley, Bulla, Campbell, Chapman, Clark, Coburn, Conner, Crawford, Crim, Davis of Scott, Donaldson, Edwards, Goodman, Goodwin, Graff, Hall, Hamilton, Hammond, Harrison, Hicks, Hosbrook, Houghman, Hubbard, Hutchinson, Isom, Jackson, Johnston, Jones, Jordan, Lank, Lawrence, Lewis, Lindsey, Marshall, McCarty, Mercer, Millikan, Moore, Morgan, Morrow, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Phillips, Pratt, Reynolds, Rice, Riley, Robbins, Ross, Shook, Shull, Simler, Stayner, Stone, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Walls, Watson, Watt, Watts, Wilson, Withers, Wittenmeyer, and Mr. Speaker—70.

So the motion to lay on the table did not prevail.

On motion by Mr. Johnston,

The report was referred to the committee on Temperance.

On motion by Mr. Jackson,

The order of business was suspended.

Mr. Jackson introduced

No. 36. A bill to extend the time of holding courts in the county of Tipton;

Which was read a first time and passed to a second reading.

On motion by Mr. Thompson of Delaware,

The order of business was suspended.

Mr. Thompson of Delaware presented a petition on the subject of Temperance, from sundry citizens of Delaware county;

Which,

On motion,

Was referred to the select committee on the subject of Temperance.

Mr. Hammond, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred the petition of the County Commissioners of the county of Morgan, praying for discretionary power to allow to the Auditor of said county compensation for additional duties required of him, have instructed me to report the following bill and recommend its passage:

No. 37. A bill authorizing the Board of Commissioners of the county of Morgan to make additional allowances to the Auditor of said county.

Which was read a first time and passed to a second reading.

On motion by Mr. Ross,

The order of business was suspended.

Mr. Ross introduced,

No. 38. A bill to repeal an act to restrict the grand jury in Franklin county in their sessions, approved Jan. 15, 1850.

Which was read three several times, the rules being suspended therefor and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Rice,

The order of business was suspended.

Mr. Rice presented a petition to change the name of Elizabeth Clements to that of Elizabeth Cornwell.

Which,

On motion,

Was referred to a select committee consisting of Messrs. Rice, Peckenpaugh and Isom.

On motion,

The order of business was suspended.

Mr. Hutchinson introduced

No. 39. A bill to change the name of Morris Stanley Nevans to that of Stanley Morris Warner.

Which was read a first time and passed to a second reading,

When,

On motion,

It was referred to a select committee consisting of Messrs. Hutchinson, Rice, Peckenpaugh and Isom.

On motion by Mr. Thompson of Carroll,

The House adjourned to meet to-morrow morning, 9 o'clock.

SATURDAY MORNING, January 4, 1851.

The House met.

The Journal of the preceding day was read and approved.

Mr. Patterson of Tippecanoe asked and obtained leave to record his vote on the passage of Senate bill No. 12, entitled a bill for the benefit of the New Albany and Salem Railroad Company.

Mr. Patterson of Tippecanoe voted in the negative.

Mr. Marvin asked and obtained leave to record his vote on the same bill.

Mr. Marvin voted in the negative.

The Speaker laid before the House petitions addressed to him for presentation, on the subject of spirituous liquors, as follows:

One from James R. Lafever and 12 other inhabitants of the counties of Adams and Wells;

Another, signed by Thomas Archibald and 18 other citizens of Wells county:

Another, signed by Mr. Hill and 27 other citizens of Noble county;

Another, signed by Zena Rizer, Sarah Ann Mullen, Julia Ann Gibson, and 40 other ladies of Indiana;

Another, signed by Elizabeth Lafever and 20 other ladies of Indiana;

Another, signed by Sarah E. Watson and 25 other ladies of Indiana.

Which,

On motion,

Were referred to the committee on Temperance.

#### PETITIONS, MEMORIALS, &C., PRESENTED.

By Mr. Lewis:

The memorial of ladies on the subject of the legalized liquor traffic;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Jones;

The petition of sundry citizens, requesting an alteration of the road laws in the county of LaGrange;

Which,

On motion,



Was referred to a select committee consisting of Messrs. Jones, Pancake and Stayner.

Mr. Hutchinson offered the following resolution:

*Resolved*, To reconsider the vote concurring in the resolution of the Senate, providing for going into the election of State Librarian this day at 3 o'clock.

Mr. Humphreys moved to lay it upon the table.

The ayes and noes being demanded by two Representatives,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Blue, Brown of Shelby, Carr, Clark, Crawford, Essex, Franklin, Gentry, Hamilton, Harris, Harrison, Haywood, Hicks, Houghman, Humphreys, Jackson, Jones, Lindsey, Marquess, Marvin, McClelland, McKim, McMakin, Mercer, Nelson, Painter, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Peckenpaugh, Rice, Riley, Robbins, Ross, Simler, Stayner, Schwartz, Swihart of Wabash, Thorn, Watson, Watts, Willard, Williamson, Wilson, Withers, Wittenmeyer, and Mr. Speaker—49.

*Those who voted in the negative were,*

Messrs. Benson, Brown of Pike, Bulla, Campbell, Coburn, Conner, Cowan, Crim, Davis of Scott, Donaldson, Edwards, Goodman, Goodwin, Graff, Hall, Hosbrook, Hubbard, Hutchinson, Isom, Johnston, Jordan, Lank, Lawrence, Lewis, Marshall, Millikan, Moore, Morgan, Morrow, Phillips, Pratt, Reynolds, Shook, Stone, Swihart of Huntington, Thompson of Carroll, Thompson of Delaware, Usher, Walls, and Watt—40.

So the vote was not reconsidered.

By Mr. Moore;

A petition from sundry citizens of the counties of Blackford, Grant and Howard, praying for the location of a State road.

Which,

On motion,

Was referred to a select committee consisting of Messrs. Morrow, Shull and Pratt.

By Mr. Armstrong;

The petition of the Board of County Commissioners of Switzerland county, asking the re-assessment of a large amount of real estate in said county, as also a re-valuation of the same.

Which,

On motion,

Was referred to a select committee of Messrs. Armstrong, Clark and Shook.

By Mr. Wilson;

The petition of sundry citizens of Sullivan county, granting the Treasurer the right, not to return the delinquent list before the session of the Board of Commissioners in June, annually.

Which,

On motion,

Was referred to the committee on Ways and Means.

By Mr. Pratt;

The petition of sundry citizens of Howard county, praying this House to grant them a record, known by the name of the Wabash and Noblesville state road, so far as Howard county is concerned.

Which,

On motion,

Was referred to a select committee consisting of Messrs. Pratt, Thompson of Carroll, and Donaldson.

Mr. Gentry moved to suspend the rules, to make a report from a select committee.

Which motion did not prevail.

#### REPORTS OF COMMITTEES.

Mr. Bradley, from the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations to whom was referred engrossed bill of the House No. 5, "an act to incorporate the town of Vernon, in Jennings county," have had the same under consideration and have instructed me to report the same back to the House without amendment and to recommend its passage:

No. 5. A bill to incorporate the town of Vernon;

Which was read a third time and passed.

Ordered that the clerk inform the Senate thereof.

Mr. Coburn from the committee on Engrossed Bills made the following report:

MR. SPEAKER:

The committee on Engrossed Bills have examined bills numbered ten, seventeen, eighteen, and thirty, and direct me to report that said bills are correctly engrossed.

Mr. Gentry from a select committee made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of the students of the Indiana University have had the same under consideration and instructed me to report the following bill and recommend its passage:

No. 40. A bill to incorporate the Athenian Society of the Indiana University ;

Which was read a first time and passed to a second reading.

Mr. McClelland, from a select committee, made the following report:

MR. SPEAKER :

The committee to whom was referred the petition of John Mohn and others, beg leave to report the following bill, and respectfully recommend its passage:

No. 41. A bill to authorize the Auditor of Clinton county to make to John Mohn a certificate of purchase for a certain tract of land in said county.

Which was read a first time and passed to a second reading.

#### RESOLUTIONS.

Mr. Essex offered the following resolution :

*Resolved*, That the members of this House most respectfully invite the Superintendent of the Asylum for the education of the Deaf and Dumb, and also the Superintendent of the Asylum for the Education of the Blind to hold an exhibition of the proficiency of their pupils under their respective charges for the information of the members of this General Assembly on such evenings as each of them may select.

Which was adopted.

Mr. Franklin offered the following resolution :

*Resolved*, That the committee on apportionment be instructed to reduce the number of Senators to forty, and the number of Representatives to eighty.

Mr. Chapman moved to amend by striking out the word "reduce," and inserting "inquire into the expediency of reducing."

Which amendment was adopted.

The question being on the adoption of the resolution, as amended, was decided in the affirmative.

On motion by Mr. Rice:

*Resolved*, That the Auditor of State be requested to lay before the House of Representatives the report of the superintendent of the New Albany and Vincennes Turnpike Company, at as early a day as convenient.

On motion by Mr. Lank:

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of increasing the salary of the President Judges.

#### BILLS INTRODUCED.

By Mr. Franklin:

No. 42. A bill to legalize the election of the County Commissioners of the county of Owen.

By Mr. Brown of Pike;

No. 43. A bill to require venders of medicine to procure license, in Pike county.

By Mr. Lank;

No. 44. A bill to extend the provisions of a certain act therein named to the eleventh judicial circuit, and for other purposes.

By Mr. Humphreys;

No. 45. A bill to amend section 100, chapter 12, of the Revised Statutes of 1843,

Which were each read a first time, and passed to a second reading.

By Mr. McClelland;

No. 46. A bill to prevent impositions in the sale of patent medicines.

Objection being made, the question was put on the rejection of the bill, and decided in the negative,

The bill then passed to a second reading.

#### ORDERS OF THE DAY.

##### *House Bills on Third Reading.*

No. 11. A bill requiring the Secretary of State to issue a patent to Daniel K. Smith, for a tract therein named;

Was read a third time and passed.

On motion by Mr. Pratt.

The title was amended by adding after the word "tract" the words "of land."

Ordered that the Clerk inform the Senate thereof.

No. 17. An act to repeal an act therein named.

No. 18. A bill to repeal an act entitled an act fixing the salary of the Auditor of the county of Owen.

No. 23. A bill to repeal an act authorizing the Commissioners of Fountain county to vacate a certain street in the town of Rob Roy, Fountain county;

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 30. A bill defining the duties of County Treasurer of Lake county;

Was read a third time and,

On motion by Mr. Donaldson,

Referred to a select committee, with instructions "to add the county of Miami."

The Speaker appointed Messrs. Donaldson, Swihart of Wabash, and Pratt, said committee.

#### HOUSE BILLS ON SECOND READING.

No. 22. A bill to locate a State road in the counties of Kosciusko and Wabash;

Was read a second time.

On motion by Mr. Swihart of Wabash,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 25. An act to open an alley in the town of Perrysville, in the county of Vermillion;

Was read a second time.

On motion by Mr. Wittenmeyer,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 26. An act to revive the 61st section of an act entitled "an act to establish certain State roads therein named, and for other purposes;

Was read a second time.

On motion by Mr. Pratt,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 27. An act to repeal an act entitled "an act relative to Overseers of the Poor," approved January 15, 1844, so far as relates to the county of Clay;

Was read a second time.

On motion by Mr. Williamson,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 28. An act to revise an act therein named ;

Was read a second time.

On motion by Mr. McKim,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 29. An act to repeal an act therein named ;

Was read a second time and ordered to be engrossed.

No. 31. A bill relative to the Laporte and Plymouth Plank Road Company ;

Was read a second time.

On motion by Mr. Bradley,

Was referred to the committee on Corporations.

No. 33. A bill to authorize County Auditors to appoint deputies ;

Was read a second time.

Mr. Pratt moved to amend by adding the following proviso :

*Provided*, That all appointments heretofore made, be, and the same are hereby legalized.

Which was adopted.

The bill as amended was ordered to be engrossed.

No. 35. A bill to incorporate the Cincinnati and Indianapolis Railroad Company ;

Was read a second time, and

On motion by Mr. Ross,

Was referred to the committee on Corporations.

No. 34. A bill to extend the powers of the Lawrenceburgh and upper Mississippi Railroad Company ;

Was read a second time and,

On motion by Mr. Patterson of Tippecanoe,

Was referred to the committee on Corporations.

No. 36. A bill to extend the time of holding courts, in the county of Tipton ;

Was read a second time and,

On motion by Mr. Jackson,

The rules were suspended, the bill read a third time, and passed.

Ordered that the clerk inform the Senate thereof.

No. 37. A bill authorizing the Board of Commissioners of the county of Morgan to make an additional allowance to the Auditor of said county ;

Was read a second time.

On motion by Mr. Hammond,

The rules were suspended, the bill read a third time and passed.

Ordered that the clerk inform the Senate thereof.

The Speaker laid before the House the following communication :

OFFICE OF THE COMMISSIONERS OF THE SINKING FUND, }  
Indianapolis Jan. 3d, 1851. }

HON. E. DUMONT,

*Speaker of the House of Representatives:*

SIR:—Please present to the House of Representatives the accompanying report of the Commissioners of the Sinking Fund.

J. MORRISON, *President.*

On motion by Mr. Chapman,

The report was laid on the table and 200 copies ordered to be printed.

The Speaker laid before the House the following communication:

STATE BANK OF INDIANA, }  
Indianapolis Jan. 3d, 1851. }

HON. E. DUMONT,

*Speaker of the House of Representatives:*

SIR:—Please present to the House of Representatives the accompanying report of the State Bank and Branches.

Very respectfully,

J. MORRISON, *President.*

On motion by Mr. Watts,

The report was laid on the table, and 200 copies ordered to be printed.

The Speaker laid before the House the following communication:

STATE BANK OF INDIANA, }  
Indianapolis, Jan. 3, 1851. }

HON. E. DUMONT,

*Speaker of the House of Representatives:*

SIR:—Herewith please to receive and present to the House of Representatives the reports of the branches of this Bank, at Lawrenceburgh, Richmond, Lafayette, Fort Wayne, and Michigan City.

Very respectfully,

JAMES M. RAY, *Cashier.*

On motion by Mr. Davis of Scott,

The reports were referred to the committee on the State Bank.

On motion by Mr. Swihart of Wabash,

The order of business was suspended.

Mr. Swihart of Wabash, offered the following resolution:

*Resolved*, That the House will, the Senate concurring, go into the election of President Judge of the 6th Judicial Circuit, on Tuesday next, at 10 o'clock A. M.

On motion by Mr. Watt,

The resolution was laid on the table.

Mr. Williamson offered the following resolution:

*Resolved*, That the Judiciary committee be instructed to inquire into the expediency of reporting a law to prevent the further immigration of blacks into this State, and to revise the laws in relation to free blacks generally.

Mr. Stone moved to lay the resolution on the the table.

The ayes and noes being demanded by Messrs. Lank and Goodwin,

*Those who voted in the affirmative were,*

Messrs. Brown of Pike, Brown of Shelby, Bulla, Clark, Coburn, Conner, Crim, Haywood, Hosbrook, Hubbard, Jackson, Jones, Lank, Lawrence, Marquess, Marshall, Millikan, Morrow, Pancake, Phillips, Pratt, Reynolds, Riley, Robbins, Shull, Stayner, Stone, Swihart of Huntington, Thompson of Delaware, and Mr. Speaker—30.

*Those who voted in the negative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Campbell, Carr, Chapman, Cowan, Cox, Crawford, Davis of Scott, Donaldson, Edwards, Essex, Franklin, Gentry, Goodman, Goodwin, Graff, Hall, Hamilton, Harris, Harrison, Hicks, Houghman, Humphreys, Isom, Johnson, Jordan, Lindsey, Marvin, McClelland, McKim, McMakin, Mercer, Moore, Morgan, Nelson, Painter, Patterson of Marshall, Patterson of Tippecanoe, Peckenpaugh, Rice, Ross, Shook, Simler, Schwartz, Swihart of Wabash, Thompson of Carroll, Thorn, Usher, Walls, Watson, Watt, Watts, Willard, Williamson, Wilson, Withers, and Wittenmeyer—60.

So the resolution was not laid on the table.

The question then being on the adoption of the resolution, Was decided in the affirmative.

On motion by Mr. Davis of Scott,

*Resolved*, That the report of the Auditor of State be taken from the table and referred to the committee on Ways and Means.



The Speaker announced the following select committee on the resolution on the subject of the appropriation to defray the expenses of the members of the Constitutional Convention:

Messrs. Moore, Hutchinson, Shook, Watt of Union, Brown of Shelby, Franklin, Williamson, McClelland, Pratt, and Bird.

A message from the Senate by Mr. Emerson, their Secretary.

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House without amendment, to-wit:

No. 4. An act authorizing the Terre Haute and Richmond Rail Road Company, to issue bonds for the sole purpose of borrowing money to complete said road, and to secure their payment by mortgaging the property of said Company.

No. 16. An act to legalize the election of Samuel Geisinger to the office of Treasurer of Elkhart county.

Mr. Shook, chairman of the committee on Enrolled Bills, made the following report:

**MR. SPEAKER:**

The committee on Enrolled Bills have compared the following enrolled with the engrossed bill of the House, and find it correctly enrolled, to-wit:

An act to authorize the appointment of a guardian of the person and estate of the person therein named and for other purposes.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Conner, from the committee on Enrolled Bills, made the following report:

**MR. SPEAKER:**

The committee on Enrolled Bills have this day presented to the Governor for his signature, bill of the House No. 1, an act to authorize Thomas G. Alvord to file a bill in chancery in the Laporte Circuit Court.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Shook, chairman of the committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The committee on Enrolled Bills have compared the following enrolled bills with the engrossed bill of the House, and find it correctly enrolled, to-wit:

An act authorizing the Terre Haute and Richmond Railroad Company to issue bonds for the sole purpose of borrowing money to complete said road, and to secure their repayment by mortgaging the property of said company.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Usher offered the following resolution:

*Resolved*, That when the House adjourn it adjourn until Monday morning, 9 o'clock; and that the Hall be set in order this afternoon, as reported by the committee.

Which was not adopted.

On motion by Mr. Benson,  
The House adjourned.

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2 o'clock, P. M.

House met.

Silas Davis, member elect from the county of Dubois, and Thomas O'Neal, member elect from the county of Tippecanoe, appeared, produced their credentials, were sworn into office, and took their seats.

Mr. Brown of Pike, offered the following preamble and resolution:

WHEREAS, The Hon. James R. Withers, late Representative from the county of Pike, departed this life shortly after the adjournment of the last session of the Legislature; therefore,

*Be it resolved*, That this House tenders the surviving widow and relatives in this afflicting bereavement, its sincere condolence, and as a testimony of respect for the memory of said deceased, that the members and officers of this House wear the usual badge of mourning for thirty days; and that the Clerk of this House be authorized to forward a copy of this resolution to the surviving widow and family.

Which was unanimously adopted.

On motion by Mr. Edwards,

*Resolved*, That the committee on Ways and Means are hereby instructed to inquire whether the amount of quarter per cent. treasury notes redeemed exceeds the amount of said notes issued, with leave to report by bill or otherwise.

On motion by Mr. Ross,

*Resolved*, That the Senate be invited to attend instanter in the Hall of the House, for the purpose of going into the election of the Judge of the Court of Common Pleas of the county of Marion, and that seats be prepared for them on the right of the Speaker's chair.

The Senate then came into the Hall; when both branches proceeded, by joint ballot, to elect a Judge of the Marion County Court of Common Pleas, to fill the vacancy occasioned by the resignation of Hon. Abraham A. Hammond,

Messrs. Mickle and Marshall acting as tellers on the part of the Senate, and

Messrs. Withers and Stone on the part of the House.

On counting the votes, it appeared that

|                        |   |   |   |   |   |            |
|------------------------|---|---|---|---|---|------------|
| Edward Lander received | - | - | - | - | - | 118 votes. |
| Scattering             | - | - | - | - | - | 20 "       |

Edward Lander having received a majority of all the votes given, was declared duly elected Judge of the Marion County Court of Common Pleas, to serve as such during the unexpired term which was made vacant by the resignation of Hon. A. A. Hammond.

The Senate then retired to their Chamber.

The Speaker laid before the House the following communication from his Excellency the Governor:

HON. E. DUMONT,

*Speaker of House of Representatives:*

Please lay before the House of Representatives the enclosed report of the Quarter-Master General.

Yours respectfully,

JOS. A. WRIGHT.

On motion by Mr. Pratt,

The report was referred to the committee on Military Affairs.

On motion by Mr. Coburn,

The order of business was suspended.

Mr. Coburn introduced,

No. 47. A bill relative to the election and appointment of constables;

Which was read a first time and passed to a second reading.

On motion by Mr. Dumont,

The order of business was suspended.

Mr. Dumont introduced,

No. 48. A joint resolution on the subject of the bounty lands granted to certain officers and soldiers who were engaged in the military service of the United States;

Which was read a first time and passed to a second reading.

On motion by Mr. Hosbrook,

The order of business was suspended.

Mr. Hosbrook introduced,

No. 49. An act regulating interest;

Which was read a first time and passed to a second reading.

Mr. Chapman from a select committee made the following report:

MR. SPEAKER:

The select committee on the subject of improvements in this Hall have directed me to report the following resolution, and recommend its passage, and said committee ask leave to further consider the subject referred to them:

*Resolved*, That the door-keeper procure a plain, cheap table, of such size as may be directed by the Speaker, to be placed in front of the clerk's desk for the use of reporters;

Which was concurred in.

Mr. Edwards moved that there be 500 additional copies of the reports of the Trustees of the Wabash and Erie Canal, ordered for the use of this House;

Which motion did not prevail.

On motion by Mr. Ross,

*Resolved*, That when this House adjourns this day, it adjourns to meet again at 9 o'clock on Tuesday morning, for the purpose of giving the door-keeper time to repair the House.

On motion by Mr. Humphreys,

*Resolved*, That the Senate be invited to attend in the Hall of Representatives instantler for the purpose of electing a State Librarian.

The Senate then came into the Hall, when both branches of the Legislature proceeded in joint Convention, by a *viva voce* vote, to

elect a State Librarian, to fill the vacancy occasioned by the expiration of the term of service of John B. Dillon, Esq., the present incumbent.

*Those who voted for Nathaniel Bolton were,*

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Cravens, Delevan, English, Graham, Hanna, Hardin, Henton, Hunt, James, Kinnard, Logan, Mickle, Reid, Turman, Walker, Winstandley, and Woods, of the Senate, and,

Messrs. Armstrong, Benson, Bird, Brown of Pike, Brown of Shelby, Campbell, Carr, Chapman, Cox, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Essex, Franklin, Gentry, Graff, Hall, Hamilton, Harris, Harrison, Hicks, Houghman, Humphreys, Hutchinson, Jackson, Marquess, Marvin, McClelland, McKim, McMakin, Nelson, Painter, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Rice, Riley, Ross, Shook, Shull, Simler, Stayner, Schwartz, Swihart of Wabash, Thorn, Walls, Watson, Willard, Williamson, Wilson, Withers, Wittenmeyer, and Mr. Speaker, of the House of Representatives—78.

*Those who voted for John B. Dillon were,*

Messrs. Day, Defrees, Dunn, Ellis, Hamrick, Harvey, Herod, Holloway, Knowlton, Marshall, McCarty, Montgomery, Niblack, Odell, Porter, and Teegarden, of the Senate, and,

Messrs. Blue, Bulla, Clark, Coburn, Conner, Cowan, Edwards, Fleece, Goodman, Goodwin, Hammond, Haywood, Hosbrook, Hubbard, Isom, Johnston, Jones, Jordan, Lank, Lawrence, Lindsey, Marshall, McCarty, Mercer, Millikan, Moore, Morrow, Peckempaugh, Phillips, Pratt, Reynolds, Robbins, Stone, Swihart of Huntington, Thompson of Carroll, Thompson of Delaware, Usher, Watt, and Watts, of the House of Representatives—55.

*Those who voted for Sarah T. Bolton were,*

Messrs. Evans and Garver of the Senate—2.

Nathaniel Bolton having received a majority of all the votes given, is hereby declared duly elected State Librarian for the term of three years from and after this day.

The Senate then returned to their Chamber.

On motion by Mr. Davis of Scott.

The House adjourned till Tuesday morning at nine o'clock.

TUESDAY MORNING, January 7, 1851

The House met.

The Journal of the preceding day was read and adopted.

PETITIONS, MEMORIALS, &C., PRESENTED.

By Mr. Edwards;

A petition to change the names of the persons therein named ;

On motion,

It was referred to a select committee on the same subject.

By Mr. Morrow,

A petition of sundry citizens of the State of Indiana, in regard to interest;

Which,

On motion,

Was referred to the committee on the Judiciary.

By Mr. Millikan,

Two petitions in regard to assessing a tax on the citizens, in school district No. 5, and 8, in the county of Laporte, for the purpose of building a union school house, &c.

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Millikan, Reynolds and Bradley.

By Mr. Hamilton,

The memorial of sundry citizens of Jackson county on the subject of temperance;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Nelson,

The petition of sundry citizens of the county of Boone, praying a divorce of Isaac C. Leap, from his wife Nancy Jane;

Which,

On motion,

Was referred to the committee on the Judiciary.

By Mr. Marvin,

A petition for the relief of William Buttery ;

Which,

On motion,

Was referred to the committee on the Judiciary.

By Mr. Thorn,

The petition of sundry citizens of Knox county, praying a divorce for Henry Rider, from his wife;

Which,

On motion,

Was laid upon the table.

On motion by Mr. Thorn,

The rules were suspended.

Mr. Thorn offered the following resolution:

*Resolved*, That it is the sense of this house, that the granting of divorces by Legislative enactment, is impolitic, and inexpedient, and will not be encouraged by this house during the remainder of the present session of the General Assembly.

Mr. Patterson of Tippecanoe, moved to amend by inserting after the word inexpedient, "and unconstitutional;"

Which was accepted by the mover.

Mr. Hicks moved to amend, by striking out the words, "and that the same is unconstitutional."

Which was decided in the affirmative.

The question then recurring on the adoption of the resolution as amended,

The ayes and noes being demanded by Messrs. Patterson of Tippecanoe, and Crawford.

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Pike, Bulla, Campbell, Carr, Clark, Conner, Cowan, Cox, Crawford, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Elkins, Fleece, Franklin, Gentry, Goodman, Graff, Hall, Hammond, Harrison, Haywood, Hicks, Hosbrook, Hubbard, Humphreys, Hutchinson, Isom, Jackson, Johnston, Jones, Jordan, Lank, Lawrence, Lewis, Lindsey, Marquess, Marshall, Marvin, McCarty, McClelland, McKim, McMakin, Mercer, Moore, Morgan, Morrow, Nelson, Painter, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Peckenpaugh, Phillips, Pratt, Rice, Riley, Robbins, Ross, Shook, Shull, Simler, Stayner, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Walls, Watson, Watt, Watts, Willard, Williamson, Withers, Wittenmeyer, and Mr. Speaker—85.

*Those who voted in the negative were,*

Messrs. Caylor, Essex, Goodwin, Hamilton, and Harris—5.

So the resolution as amended was adopted.

Mr. Davis of Scott, moved to reconsider the vote ;  
Which motion did not prevail.

By Mr. Armstrong ;

The petition of sundry citizens of Switzerland county on the subject of Temperance ;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Moore ;

The memorial of sundry ladies of Bartholomew county, on the subject of the legalized liquor traffic ;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Shook ;

Two temperance memorials from the ladies and gentlemen of the county of Ripley, on the subject of the legalized liquor traffic ;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Hutchinson ;

A petition of sundry citizens of Lamasco city in the county of Vanderburgh, in regard to the corporate limits of said city, &c.

Mr. Hutchinson also introduced,

A remonstrance from sundry citizens of said Lamasco city on the same subject ;

Which,

On motion,

Were referred to the committee on Corporations.

By Mr. Williamson ;

Five petitions from sundry citizens of the counties of Parke and Clay, for the granting of a charter for a Turnpike or Plank Road Company, &c. ;

Which,

On motion,

Were referred to a committee consisting of Messrs. Houghman, Robbins and Williamson.

#### REPORTS OF COMMITTEES.

Mr. Watson from a select committee made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the House No. 20, have had the same under consideration, and have directed me



to report the same back to the House with the following amendment:

Strike out from the enacting clause and insert the following:

SECTION 1. That the office of School Commissioner, and the office of County Agent in the county of Brown, be and the same are hereby abolished.

SEC. 2. The duties heretofore required by law to be performed by the School Commissioner of said county, are hereby transferred to the Treasurer of said county; and the duties heretofore required by law to be performed by the County Agent, are hereby transferred to the County Auditor of said county.

SEC. 3. The County Treasurer of said county of Brown, shall perform all the duties heretofore required by law to be performed by the School Commissioner, and the County Auditor shall perform all the duties heretofore required by law, to be performed by the County Agent of said county, and on taking effect of this act, said Treasurer, and Auditor, shall respectively execute additional bonds, in an amount and with security to be approved by the board of Commissioners of said county.

SEC. 4. Said Treasurer and Auditor shall each be allowed the same fees for services, under this act, as heretofore allowed to the School Commissioner and County Agent for similar services.

SEC. 5. This act to take effect, and be in force from and after the first Monday in June next.

SEC. 6. All laws conflicting with the provisions of this act are hereby repealed, so far as concerns the county of Brown.

SEC. 7. This act shall be published in the Indiana State Sentinel, and a certified copy thereof transmitted without delay to the clerk of the circuit court of Brown county.

Mr. Donaldson, from a select committee made the following report:

**MR. SPEAKER:**

The select committee, to whom was referred engrossed bill No. 30, with instructions to add the county of Miami, have instructed me to report:

That said amendment shall not be made, having been instructed otherwise by petition from said county of Miami, and recommend its passage without said amendment.

Which report was concurred in.

Mr. Jones, from a select committee, made the following report:

**MR. SPEAKER:**

The committee to whom was referred the petition of sundry

stockholders of the Lagrange Phalanx, have directed me to report the following bill and respectfully recommend its passage:

No. 50. A bill to repeal an act entitled an act to incorporate the LaGrange Phalanx, approved Jan. 13, 1845.

Which was read a first time and passed to a second reading.

#### RESOLUTIONS OF THE HOUSE.

On motion by Mr. Franklin,

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the law upon the subject of assets, as to allow the principal in a joint note, the right to have assets allowed (as in other cases) against the payee or assignee of said note; and that they report by bill or otherwise.

Mr. Patterson of Tippecanoe offered the following resolution:

*Resolved*, That the thanks of this General Assembly are hereby tendered to the fire companies of this city for their prompt, energetic, and efficient operations at the fire of last night in this city.

Which was not adopted.

On motion by Mr. Willard,

*Resolved*, That one additional member be added to the committee on Apportionment of the State.

Mr. Davis of Scott was added to said committee, under the above resolution.

On motion by Mr. Gentry,

*Resolved*, That the Judiciary committee be instructed to inquire into the expediency of so amending section 175, of chapter 47, of the Revised Statutes, so as to do justice between the parties in appeal cases from justices of the peace to the circuit court; and report by bill or otherwise.

On motion by Mr. Pratt,

*Resolved*, That the Judiciary committee be instructed to inquire whether some modification of the existing statute of limitations is not required, so far as concerns actions upon judgments rendered by justices of the peace.

On motion by Mr. Bradley,

*Resolved*, That this House will, the Senate concurring therein, go into the election of a President Judge of the Ninth Judicial Circuit on this day at 2 o'clock, P. M.

#### JOINT RESOLUTIONS INTRODUCED.

By Mr. Phillips;

No. 51. A joint resolution, recommending Congress to establish a line of steamers to aid in colonization.

Which was read a first time and passed to a second reading.

#### BILLS INTRODUCED.

By Mr. Clark;

No. 52. A bill to amend an act regulating the jurisdiction and duties of justices of the peace in the county of Dearborn.

By Mr. Donaldson;

No. 53. A bill to incorporate the Peru and Andersontown Plank Road Company.

By Mr. Pratt;

No. 54. A bill to further amend an act entitled an act to incorporate the Michigan Road Company, approved January 13th, 1845, and for other purposes.

By Mr. Watts;

No. 55. A bill to amend the act entitled an act to reduce the law incorporating the city of Madison, and the several acts amendatory thereto into one act, and to amend the same, approved January 14th, 1848.

By Mr. McKim;

No. 56. A bill to authorize the sale of school section in town 5, south of range 3 west, in Perry county.

By Mr. Shook;

No. 57. A bill directing the Auditor of State to pay over to the Treasurer of Ripley county certain funds therein named.

Which were severally read a first time and passed to a second reading.

#### BILLS OF THE HOUSE ON THIRD READING.

No. 29. A bill to repeal an act entitled an act in relative to overseers of the poor, approved January 15th, 1844, so far as relates to the county of Clay.

No. 30. A bill defining the duties of the County Treasurer of Lake county.

No. 33. A bill to authorize County Auditors to appoint deputies.

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

#### BILLS ON SECOND READING.

No. 20. A bill to abolish the offices of school commissioner and county agent in Brown county.

Which was read a second time and ordered to be engrossed.

No. 40. A bill to incorporate the Athenian Society of Indiana University.

Mr. Edwards moved to amend by striking out in the first section the words "with perpetual succession," and insert the following:

To continue so long as the Indiana University shall be maintained by the State.

Also, amend by striking out so much of the 3d section as relates to acquiring, holding, and conveying real or mixed property.

Mr. Gentry moved to lay the amendments on the table.

Which motion did not prevail.

The question then being on the adoption of the amendment,

Was decided in the affirmative.

The bill as amended, was ordered to be engrossed.

No. 41. A bill to authorize the Auditor of Clinton county to make to John Mohn a certificate of purchase for a certain tract of land in said county.

No. 42. A bill to legalize the election of the county commissioners in the county of Owen.

Were each read a second time and ordered to be engrossed.

No. 43. A bill to require venders of medicines to procure license in Pike county;

Was read a second time,

On motion,

Was referred to a select committee consisting of

Messrs. Brown of Perry, Davis, Graff, Lewis, and Hutchinson.

No. 44. A bill to extend the provisions of a certain act therein named to the eleventh Judicial Circuit, and for other purposes.

Was read a second time and,

On motion by Mr. Lank,

Referred to the committee on the Judiciary.

No. 45. A bill to amend section 100, chapter 12, of the Revised Statutes of 1843.

Which was read a second time.

Mr. Marvin moved to strike out "25," and insert "six per cent."

On motion by Mr. Franklin,

Was referred to the committee on Ways and Means.

No. 46. A bill to prevent imposition in the sale of patent medicines;

Was read a second time.

On motion by Mr. McClelland,

It was referred to a select committee consisting of Messrs. McClelland, Graff, Lewis, Crawford, and Brown of Pike.

No. 47. A bill relative to the election and appointment of Constables;

Was read a second time.

On motion by Mr. Hicks,

Was referred to the committee on the Judiciary.

No. 48. A joint resolution on the subject of the Bounty Lands granted to certain officers and soldiers who were engaged in the military service of the United States;

Was read a second time.

On motion by Mr. Edwards,

Was laid on the table.

No. 49. A bill regulating interest,

Was read a second time.

Mr. Watts moved to amend by adding:

*Provided*, That said rate of interest does not exceed ten per cent. per annum.

Mr. Shook moved to amend the amendment by striking out "ten" and inserting "eight" per cent.

Which was decided in the negative.

Mr. Marvin moved to strike out "ten" and insert "six" per cent.

On motion by Mr. Bradley,

The bill and pending amendments were referred to the committee on the Judiciary, with instructions to report a bill fixing the rate of interest.

Mr. Shook, chairman of the committee on Enrolled Bills, made the following report:

**MR. SPEAKER:**

The committee on Enrolled Bills have compared the following enrolled, with the engrossed bill of the House, and find it correctly enrolled:

No. 16. An act to legalize the election of Samuel Geisinger to the office of County Treasurer of Elkhart county.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has reciprocated the resolution of the House providing for the election of a President Judge for the Ninth Judicial Circuit without amendment.

On motion by Mr. Watts,  
The House adjourned to meet at 2 o'clock, P. M.

2 o'clock, P. M.

The House met.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution, to-wit :

*Resolved*, That the Senate will, the House of Representatives concurring, proceed to the election of a President Judge of the Seventh and Ninth Judicial Circuits on Wednesday next, at 10 o'clock, A. M.

In which the concurrence of the House is respectfully requested.

On motion by Mr. Davis of Scott,  
The foregoing message was taken up and concurred in.

Mr. Williamson moved to concur in the resolution of the Senate contained in the foregoing message with the following amendment: Strike out the words "and ninth."

Mr. Edwards moved to lay the resolution and amendment on the table.

Which motion did not prevail.

The question then being upon concurring in the resolution with the amendment proposed by Mr. Williamson,

Was decided in the affirmative.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Hicks,  
The order of business was suspended.

On motion by Mr. Hicks,

*Resolved*, That the Senate be invited to attend in the Hall of the House *instantly*, to proceed in joint convention to the election of President Judge of the Ninth Judicial Circuit, and that seats be prepared on the right of the Speaker's chair.

The Senate came into the Hall, when both branches of the General Assembly proceeded, in joint convention, by ballot, to the election of President Judge of the Ninth Judicial Circuit, to fill the vacancy occasioned by the expiration of the term of service of Ebenezer M. Chamberlain, the present incumbent,

Messrs. Millikan and Porter acting as tellers on the part of the Senate, and

Messrs. Jones and Goodman on the part of the House.

On counting the votes, it appeared that

|                                  |   |   |   |            |
|----------------------------------|---|---|---|------------|
| Ebenezer M. Chamberlain received | - | - | - | 126 votes. |
| Blank,                           | - | - | - | 10 "       |

Ebenezer M. Chamberlain, having received a majority of all the votes given, was declared duly elected President Judge of the Ninth Judicial Circuit, to serve as such for and during the term of seven years from and after this date.

The Senate then retired to their Chamber.

Bill of the Senate No. 10, a bill authorizing Rezin W. Prather to drain certain low lands therein mentioned, contained in a message from the Senate of January 3d, was taken up.

The bill was read a first, second and third times, the rules being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof:

**No. 3.** An act to repeal section one of an act approved January 19, 1850, of an act entitled an act to amend an act entitled an act to incorporate the city of Indianapolis, approved May 27, 1848.

**No. 4.** An act to amend an act entitled an act to incorporate the Richmond and Miami Company, approved January 19, 1846.

**No. 6.** An act for the relief of Mary Clark, to enable her to convey real estate.

**No. 11.** An act to authorize the extension of the Newcastle and Richmond railroad.

**No. 16.** An act to amend an act entitled an act to incorporate the Richmond and Williamsburg Turnpike Company, approved Jan. 16, 1849.

**No. 21.** An act to amend an act entitled an act to incorporate

the town of Patriot, in Switzerland county, and legalize the action of the collector of said town.

No. 31. An act to change the name of Nancy Ann Kelso, of Dubois county, to Nancy Ann McMahan.

No. 33. An act to legalize the assessment of taxes for school purposes in district No. 7, in township thirty-three, north of range east, in DeKalb county.

No. 34. An act for the relief of Amasa Hazen, of Ripley county.

No. 37. An act to change the time of holding circuit court in the Twelfth Judicial Circuit.

In which the concurrence of the House is respectfully requested.

Bills of the Senate contained in the foregoing message, were then considered.

No. 3. A bill to repeal section 1 of an act approved January 19, 1850, of an act entitled an act to amend an act entitled an act to incorporate the city of Indianapolis.

No. 4. A bill to amend an act entitled an act to incorporate the Richmond and Miami Railroad Company.

No. 6. A bill for the relief of Mary Clark, to enable her to convey real estate.

Were severally read a first time and passed to a second reading.

No. 11. A bill to authorize the extension of the Newcastle and Richmond railroad;

Was read a first time and passed to a second reading.

No. 16. A bill to amend an act entitled "an act to incorporate the Richmond and Williamsburg Turnpike Company," approved January 16th, 1849;

Was read a first time.

On motion by Mr. Dumont,

The rule was suspended, the bill read a second time and referred to the committee on Corporations.

No. 21. A bill to amend an act entitled "an act to incorporate the town of Patriot, in Switzerland county, and legalize the action of the collector of said town.

No. 31. A bill to change the name of Nancy Ann Kelso, of Dubois county, to Nancy Ann McMahan.

No. 33. A bill to legalize the assessment of taxes for school purposes in district No. 7, in township 33, north of range — east, in DeKalb county;

Were severally read a first time and passed to a second reading.

No. 34. A bill for the relief of Amasa Hazen, of Ripley county;

Was read a first time.

On motion by Mr. Shook,

The rules were suspended, the bill read a second and third times and passed.

Ordered that the Clerk inform the Senate thereof.



No. 37. A bill to change the time of holding Circuit Courts in the Twelfth Judicial Circuit;

Was read a first time.

On motion by Mr. Bird,

The rules were suspended, the bill read a second and third times and passed.

Ordered that the Clerk inform the Senate thereof.

Message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof:

No. 8. An act to amend an act, entitled an act to incorporate the town of Noblesville, approved January 19, 1850.

No. 24. An act to abolish the office of School Commissioner of the county of Morgan.

No. 27. An act to increase the per diem allowance of the Probate Judges of the counties of Union, Fayette, Rush, and Hendricks.

In which the concurrence of the House is respectfully requested.

The bills contained in the foregoing message were then considered.

No. 8. A bill to amend an act entitled an act to incorporate the town of Noblesville;

Was read a first, second, and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

No. 24. A bill to abolish the office of School Commissioner of the county of Morgan;

Was read a first time and passed to a second reading.

No. 27. A bill to increase the per diem allowance of Probate Judges of the counties Union, Fayette, Rush, and Hendricks;

Was read a second time.

Mr. Hosbrook moved to suspend the rules and read the bill a second time.

Which motion did not prevail.

A message from the Senate, by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House without amendment, to-wit:

No. 19. An act to change the name of Melissa Jane Gillespie to that of Melissa Jane Blair.

On motion by Mr. Dumont,

Joint resolution No. 48, on the subject of the bounty lands grant-

ed to certain officers and soldiers who were engaged in the military service of the United States ;

Was taken from the table, read a second time and ordered to be engrossed.

A message from the Senate by Mr. Emerson their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have adopted the following resolution, to-wit :

*Resolved*, That the Senate will, the House of Representatives concurring, proceed to elect a State Bank Director in the place of William Daily, whose term of service is about to expire, on Wednesday the 15th instant, at 2 o'clock P. M.;

In which the concurrence of the House is respectfully requested.

The order of business being suspended,

Mr. Clark from a select committee made the following report :

MR. SPEAKER :

The committee to whom was referred the petition of several citizens of the city of Lawrenceburgh, in the county of Dearborn, in reference to taxing certain lands therein named, have had the same under consideration, and instructed me to report the following bill and recommend its passage :

No. 58. A bill to amend an act to exempt from taxation for Corporation purposes certain lands within the present limits of the city of Lawrenceburg, passed and approved 20th of January, 1846 :

Which was read a first, second and third times, the rules being suspended therefor and passed.

Ordered that the Clerk inform the Senate thereof.

The order of business being suspended,

Mr. Pratt introduced,

No. 59. A bill to amend section 17, chapter 35, of the Revised Statutes of 1843 ;

Which was read a first time and passed to a second reading.

The order of business being suspended,

Mr. Bradley introduced,

No. 60. A bill relative to Plank Roads.

Which was read a first time and passed to a second reading.

The order of business being suspended,

Mr. Usher introduced,

No. 61. A bill to amend an act entitled "an act relative to leveeing the Wabash river on Shaker Prairie," approved January 14, 1846, and to repeal an act amendatory thereto, approved January 21, 1850;

Which was read a first time,

On motion,

The rules were suspended, the bill read a second time and referred to the committee on the Judiciary.

On motion,

Leave was granted to Mr. Thorn to withdraw the petition of Henry Rider for a divorce.

The order of business being suspended,

On motion by Mr. Coburn,

*Resolved*, That the House go into committee of the Whole on that portion of the Governor's message not previously referred, instanter.

The House then went into committee of the Whole in accordance with the foregoing resolution, Mr. Davis of Scott in the chair.

After remaining in session a short time, the committee arose and made the following report, through Mr. Davis of Scott, their Chairman.

MR. SPEAKER :

The committee of the whole House to whom was referred so much of the Governor's message, not heretore referred, have instructed me to report that they have passed one resolution and ask to be discharged from further consideration of the subject.

The House proceeded to the consideration of the following resolution of the committee:

*Resolved*, That so much of the Governor's message as relates to the Northern Division of the Central Canal be referred to a select committee of five.

Which was concurred in by the House.

Messrs. Coburn, Conner, Usher, Hosbrook, and Marvin, were appointed said committee.

On motion by Mr. Gentry,

Mr. Brown of Shelby, was added to the standing committee on Military Affairs.

Mr. Coburn, chairman of the committee on engrossed bills made the following report:

MR. SPEAKER :

The committee on engrossed bills, report that bills numbered 22, 23, 25, 26, 28, 29, 36, and 37, are correctly engrossed.

On motion by Mr. Williamson,  
The House adjourned to meet to-morrow morning, 9 o'clock.

WEDNESDAY MORNING, January 8, 1851.

The House met.

The Journal of the preceding day, was read and adopted.  
A message from the Senate by Mr. Emerson, their secretary ;

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House, without amendment, to-wit:

No. 7. An act for the relief of the inhabitants of Congressional township, No. 25, north of range 2 east, in Cass county.

No. 6. An act in relation to the engrossment and collection of a specific road tax in Deer Creek township, Cass county.

Also, the following message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bills thereof:

No. 25. An act to authorize the Auditor of Harrison county to make a deed therein named.

No. 28. An act to incorporate the Ohio and Indiana Railroad Company.

No. 29. An act to amend an act, entitled "an act to incorporate the Ohio and Mississippi Railroad, passed Feb. 14, 1848.

No. 38. An act to legalize the election of the Treasurer of Madison county.

No. 43. An act relative to the Jeffersonville association.  
In which the concurrence of the House is respectfully requested.

PETITIONS, MEMORIALS, &C., PRESENTED.

By Mr. Brown of Shelby,

The petition of sundry citizens of Shelby county, requesting the House to make no additional appropriation towards defraying the expenses of the State Convention, &c.

Which,

On motion,

Was referred to the committee on Ways and Means.

By Mr. Bird;

The petition of sundry citizens of Allen county on the subject of temperance.

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Swihart of Huntington;

The memorial of sundry citizens of Huntington county in regard to the improvement of the water power of Salamonie river, &c.

Which,

On motion,

Was referred to the committee on the Judiciary.

By Mr. Crim;

The petition of sundry citizens of Madison county in regard to the incorporation of Anderson, of said county.

Which,

On motion,

Was referred to the committee on Corporations.

By Mr. Armstrong;

The memorial of the ladies of Switzerland county on the subject of legalized liquor traffic.

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Crawford;

The memorial of the ladies and gentlemen of the county of Decatur on the subject of legalized liquor traffic.

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Essex;

The petition of sundry citizens of Bartholomew county requesting the grant of a State road.

Which,

On motion,

Was referred to a select committee consisting of Messrs. Essex, Crawford, and Phillips.

By Mr. Milliken;  
The memorial of sundry citizens of Laporte county on the subject of Temperance.

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Millikan;

The memorial of ladies of Laporte county on the subject of legalized liquor traffic,

Which,

On motion,

Was referred to the committee on Temperance.

#### REPORTS OF COMMITTEES.

By Mr. Pratt;

MR. SPEAKER:

The committee on the affairs of the State Prison, to whom was referred several recommendations of the Governor, in his annual message delivered on the 31st of December last, have had the same under consideration, so far as the subject matter of the accompanying bills are concerned, and direct me to report:

That by the provisions of an act entitled an act authorizing the Governor to contract for the completion of the State Prison, and for other purposes, approved January 27th, 1847, power is given to the Governor to appoint a superintendent of said work on the part of the State, removable at his pleasure, at a compensation of \$2 per day while employed. The committee knew of no officer connected with that institution whose style is a "commissioner," and suppose the Executive in his recommendation to the Legislature to dispense with the duties of the commissioner to superintend the public buildings, refers to the above named officer. The committee perceive no strict necessity for any legislative act dispensing with the further services of that officer, inasmuch as he is removable by the terms of the law at the pleasure of the Executive. But to obviate any doubt on that point, and to devolve the duties upon the Warden of the State prison, and to enlarge the compensation of the latter officer for his increase of duty, the committee instruct me to report the accompanying bill, No. —, and to recommend its passage.

The committee further direct me to report that by the provisions of an act entitled an act to lease the Indiana State prison, and for other purposes, approved January 16, 1846, the lessee of that institution is required, at his own expense, and under the direction of the Chaplain, to procure a Sunday school library for the use of the convicts.

To what extent this requirement has been fulfilled the committee

are not apprised, but viewing with much approbation every measure calculated to reclaim that unfortunate class of fellow-beings whose crimes require their seclusion from society, they cordially concur in the plan of the Executive, establishing a permanent library, of suitable books, for the use of the convicts, and approve of the purchase made by him for that purpose.

The committee, therefore, as well to legalize the purchase as to authorize a still further one, and place the library under suitable protection, instruct me to report to the House the following bills, and to recommend their passage:

No. 62. A bill to abolish the office of superintendent of the work on the State prison, and for other purposes, also,

No. 63. A bill relative to the purchase of books, made by the Governor for the use of the convicts in the State prison, and for other purposes.

Which were each read a first time and passed to a second reading.  
A message from the Governor, by Mr. Noel, Executive Messenger:

**MR. SPEAKER:**

I am directed by the Governor to inform the House of Representatives that he has approved and signed the following bills:

No. 1. An act to enable Thomas G. Alvord to file his bill in chancery in the Laporte Circuit Court.

No. 10. An act to authorize the appointment of a guardian of the person and estate of the person therein named, and for other purposes.

#### REPORTS FROM SELECT COMMITTEES.

By Mr. Bradley;

**MR. SPEAKER:**

The select committee, to whom was referred the petition of Aquilla W. Rogers and others, praying the passage of a law authorizing them to levy and collect a tax for the purpose of building a school house in a certain school district therein named, have had the same under consideration, and have instructed me to report, and respectfully recommend the passage of the following bill:

No. 64. A bill to enable the inhabitants of school district No. 8, in Congressional township No. 36, north of range No. 3 west, in Laporte county, to levy a tax sufficient to build a school house;

Was read a first time and passed to a second reading.

By Mr. Armstrong;

MR. SPEAKER:

The committee to whom was referred Senate bill No. 14, have had the same under consideration, and have instructed me to report the same back without amendment and recommend its passage;

No. 14. A bill to abolish the office of Auditor in the county of Ohio.

Which was read a second and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

A message from the Governor, by Mr. Noel, Executive Messenger:

MR. SPEAKER:

I am directed by the Governor to return to the House of Representatives bill No. 4, which originated in that body, with his message in relation thereto.

#### RESOLUTIONS OF THE HOUSE.

On motion by Mr. Thorn;

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of revising and simplifying the Probate Laws, and if deemed advisable, to dispense with complete records where estates are insolvent, and where there is no real estate belonging to the same; and also to reduce the fees of Clerk of the Probate Courts, and as far as practicable, reduce the expenses of administering upon estates.

On motion by Mr. Phillips,

*Resolved*, That the Judiciary committee be instructed to inquire into the expediency of so changing the appraisement and stay of execution laws, that creditors may be enabled to collect their debts without the precautionary stipulations now required in each promissory note; and that the general credit of our people abroad be placed on an equal footing with citizens of sister States.

On motion by Mr. Wittenmeyer,

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the existing laws defining the duties of Justices of the Peace and Constables so as to make it the duty of Constables to return executions in sixty days from the date of their issue.



On motion by Mr. Schwartz,

*Resolved*, That the House will, the Senate concurring therein, go into the election of Warden of the State Prison on Thursday next, at 2 o'clock, P. M.

On motion by Mr. Dumont,

*Resolved*, That the committee on the State Bank be instructed to inquire whether the State Bank of Indiana, through any of its branches, has violated its charter by the taking of usurious interest under the name of exchange, and that said committee inquire, if they should find out such to be the fact, what steps ought to be taken, and what law ought to be passed preventing her from receiving usury under the pretence of purchasing bills of exchange, and that said committee have power to send for persons and papers, which they are hereby directed to do, if they find that there is good ground for believing that the bank is taking an undue advantage of the clause in her charter giving her the power to purchase bills of exchange.

On motion by Mr. Chapman,

The vote on the adoption of the following resolution was reconsidered :

*Resolved*, That the House will, the Senate concurring therein, go into the election of Warden of the State Prison on Thursday next, at 2 o'clock, P. M.

Mr. Chapman moved to strike out Thursday and insert Tuesday next.

Which motion prevailed.

The question then being on the adoption of the resolution as amended,

Was decided in the affirmative.

On motion by Mr. Bradley,

The following resolution contained in the message from the Senate on yesterday, was taken up :

*Resolved*, That the Senate will, the House of Representatives concurring, proceed to elect a State Bank Director in the place of William Daily, whose term of service is about to expire, on Wednesday the 15th instant, at 2 o'clock, P. M.

Which was concurred in.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-

tives that the Senate have concurred in the amendment of the House to the resolution of the Senate providing for the election of President Judge of the 7th Judicial Circuit.

#### RESOLUTIONS OF THE HOUSE.

On motion by Mr. Humphreys,

The order of business was suspended.

Mr. Humphreys introduced the following resolution :

*Resolved*, That the Senate be invited to attend in the Hall of the House of Representatives, instanter, for the purpose of electing a President Judge for the 7th Judicial Circuit.

Mr. Marquess offered the following resolution :

*Resolved*, That this House do hereby instruct the committee on Ways and Means to inquire into the expediency of furnishing this Hall with a sufficient carpet for said Hall.

Mr. Willard moved to amend by striking out the "committee on Ways and Means," and insert the select committee on the "Repairs of the State House."

Which amendment was accepted by the mover.

The question then recurring on the adoption of the resolution, was decided in the affirmative.

On motion by Mr. Dumont,

*Resolved*, That the Hon. George H. Dunn, president of the Lawrenceburg and Upper Mississippi Railroad Company, be requested at as early a day as convenient, to report to this House the condition of said company, and the progress of said road and such other matters and things connected therewith as he may deem proper.

The Senate came into the Hall, when both branches of the General Assembly proceeded, in joint convention, by ballot, to the election of President Judge of the seventh Judicial Circuit, to fill the vacancy occasioned by the expiration of the term of service of Hon. John Law.

Messrs. Dunn and Sleeth acting as tellers on the part of the Senate, and

Messrs. Rice and Pratt on the part of the House of Representatives.

On counting the votes it appeared that,

|                             |           |           |
|-----------------------------|-----------|-----------|
| Delana R. Eckles received,  | - - - - - | 80 votes, |
| Samuel B. Gookins received, | - - - - - | 60 votes. |
| Blank,                      | - - - - - | 3 votes.  |

Delana R. Eckles having received a majority of all the votes given, was declared duly elected President Judge of the 7th Judicial Circuit to serve as such for and during the term of seven years from and after the 25th day of January, A. D. 1851.

The Senate then retired to their chamber.

The Speaker laid before the House the following communication from the Secretary of State:

OFFICE OF SECRETARY OF STATE, }  
INDIANAPOLIS, January 7, 1851. }

HON. EBENEZER DUMONT,

*Speaker of the House of Representatives :*

SIR:—Requesting that you will lay the annual report of the Secretary of State before the honorable body over which you preside,  
I am very respectfully,

Your obedient servant,

CHARLES H. TEST.

On motion by Mr. Ross,

The annual report of the Secretary of State was laid upon the table, and 1000 copies ordered to be printed.

A message from the Governor by Mr. Noel, Executive messenger :

EXECUTIVE DEPARTMENT, }  
January 7, 1851, }

HON. E. DUMONT,

*Speaker of the House of Representatives :*

SIR:—You will please lay before the House of Representatives the enclosed resolutions of the States of Texas, Maryland, Virginia and Connecticut, on the subject of the late compromise measures adopted by Congress.

JOS. A. WRIGHT.

Mr. Watt moved to suspend the further reading of the resolutions accompanying the foregoing message.

Which motion did not prevail.

On motion by Mr. Graff,

The resolutions accompanying the foregoing communication, were referred to the select committee on the Perpetuity of the Union.

The Speaker laid before House the following communication from the Auditor of State:

OFFICE OF AUDITOR OF STATE,  
INDIANAPOLIS, January 8, 1851.

HON. E. DUMONT,  
*Speaker of the House of Representatives:*

SIR:—Please lay before the House of Representatives, in compliance with their resolution of yesterday, the enclosed report of the Superintendent of the New Albany and Vincennes Turnpike Road.

Very respectfully, &c.,

E. W. H. ELLIS,  
*Auditor of State.*

On motion by Mr. Rice,

One hundred copies of the report named in the above communication were ordered to be printed for the use of this House.

Mr. Goodwin moved to reconsider the vote.

Which motion did not prevail.

By Mr. Thompson of Carroll,

*Resolved*, That the committee on Roads be instructed to inquire into the expediency of revising and compiling the road laws.

Mr. Buckles offered the following resolution:

*Resolved*, That the committee on Elections be instructed to inquire into the expediency of so changing the law confining voters to their respective townships as to allow them to vote at any poll in the county where they reside, and report by bill or otherwise.

Which was not adopted.

JOINT RESOLUTIONS INTRODUCED.

By Mr. Coburn;

No. 65. A joint resolution in regard to an appropriation for the erection of a suitable building for offices for the Clerk, Marshal of the United States' Court, post office, and land office.

Which was read a first time and passed to a second reading.

BILLS OF THE HOUSE INTRODUCED.

By Mr. Marvin;

No. 66. A bill for the benefit of common schools in Boone county;

Which was read a first time and passed to a second reading.

By Mr. Withers;

No. 67. A bill to change the name of the town of Rochester, in Franklin county, Indiana, to Cedar Grove;

Which was read a first, second and third times, the rules being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Nelson;

No. 68. A bill to repeal an act therein named;

By Mr. Watson;

No. 69. A bill to reduce the fees of the Recorder of the county of Brown;

Were each read a first time and passed to a second reading.

By Mr. Millikan;

No. 70. A bill to extend the terms of the February and May terms of the Laporte Probate Courts;

Was read a first, second and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Goodman;

No. 71. A bill to amend an act entitled an act to incorporate the Western Plank Road Company, approved Jan. 14, 1850.

By Mr. Humphreys;

No. 72. A bill to amend section 27, chapter 7, of the Revised Statutes of 1843, so far as relates to the county of Greene.

By Mr. Cowan;

No. 73. A bill to amend an act entitled an act to incorporate the White County Monticello Bridge Company, approved January 15, 1850.

Were severally read a first time, and passed to a second reading.

By Mr. Brown of Shelby;

No. 74. A bill in relation to sales of land forfeited to the State by borrowers of College and other Funds;

Which was read a first and second times, the rules being suspended therefor, and referred to the committee on Ways and Means.

By Mr. Robbins;

No. 75. A bill to repeal an act therein named, so far as the same relates to the counties of Parke and Shelby;

Which was read a first time and passed to a second reading.

Mr. Withers moved to adjourn.

Which motion did not prevail.

Mr. Gentry introduced,

No. 76. A bill to vacate an alley in the town of Bloomington.

Which was read a first time and passed to a second reading,

On motion by Mr. Davis of Scott,

The rules were suspended.

Mr. Davis of Scott introduced the following resolution:

*Resolved*, That the Commissioners of the Insane Hospital be requested to lay their annual report before this House without delay.  
Which was adopted.

On motion by Mr. Davis of Scott,  
The House adjourned to meet at 2 o'clock, P. M.

2 o'clock, P. M.

House met.

The following message from his Excellency, the Governor, was taken up and considered:

*Gentlemen of the House of Representatives:*

I herewith return you the bill of your House, No. 4, being an act authorizing the Terre Haute and Richmond Railroad Company to issue bonds, &c., with my reasons for withholding my signature.

This bill authorizes the company to issue bonds, to sell the same within or without this State, to bear any rate of interest per annum, and to sell the same at such rates, and for such prices, as may be agreed upon, and that such sales, though made at a discount, shall be as valid as if sold at par.

There is in this company county stock. There is not a railroad in progress in this State in which there is not either county or city stock. This work is an important one; it is a part of one of the great through-fares of the State. It is managed by the most prudent men of the country, who have embarked a large amount of their capital in the enterprise, and who deserve to receive the aid of the Legislature, and nothing but a sense of duty compels me to return this bill for your reconsideration. During the last session, a short time after the commencement of my duties, the same question was presented to me. I took occasion then, in a special message, to offer some suggestions. Time has only served to convince me of the correctness of the opinions then advanced, and I take this opportunity, in the investigation of this subject, to refer you to a portion of the views I then offered, with such additional arguments as my time will allow me to lay before you. Irrespective of the question as to the propriety of counties and cities in their corporate capacity subscribing to the stock of such works, it is clear that when such subscriptions are made, the interest which the counties and cities hold should be surrounded by safe guards of the most un-

questionable security. From this consideration alone it is submitted that it would be improper to invest the directory of any company with unlimited power to sell bonds at any rate of interest however exorbitant. Is it not the duty of the law making power to protect the tax payers of the subscribing counties from encroachment, especially when the irrevocable character of such bonds is considered?

But this objection to the unlimited rate of interest and discount is greatly strengthened by a consideration of the vast number of enterprises of this character in this and the adjoining States, and the probable effect of their prosecution upon our financial condition. Facts of recent occurrence are full of instruction on this subject. The lesson that a similar state of things taught the people of the old world I trust are not forgotten. There these enterprises have already received a severe check, and it would seem that the spirit of speculation has been transferred from that field of operation, in a great measure to this country. Here, similar scenes are now being enacted, not to the same extent, it may be, but unless a prudent foresight interpose its salutary check, there is ground for the apprehension that results equally disastrous will here ensue. We are advised that one of the first moneyed houses of the old world has lately established a branch in our great commercial metropolis, thus preparing for action, regarding this as the peculiar field for such operation, and from the very fact that it becomes necessary now, in view of the interest of certain companies in the prosecution of these works, to ask leave to pay a higher rate of interest than usual, and to sell their bonds at whatever amount they may agree to receive is evidence of a strong pressure, or otherwise of an overaction in this branch of enterprise. Indiana has had such a lesson on the subject of the prosecution of works of a similar character, that we shall be justly chargeable with a want of prudence if we fall again into a like difficulty without having made some exertion to avoid the disaster. If the moneyed operations of these companies are confined to the ordinary and safe methods of conducting business; if large debts are not contracted at heavy rates of interest, or at a ruinous discount, then in case of a general pressure, the worst that could happen would be a suspension of the work. But consider what would be the effect, if by a general monetary revulsion such a work should be arrested, which in the midst of its active operation, if burdened with the obligation to pay heavy rates of interest, and at the same time, with no part of the work so far finished as to be susceptible of producing revenue. Extend this example over the whole State, and what would we see but the materials of these works brought under the hammer, the lands pledged to them disposed of at forced sales, to the consternation of the too confiding occupants, and the tax payers of a subscribing county groaning under a burdensome imposition for the purpose of paying the interest on a stock which pays no dividends.

It is said, if a limit is prescribed as to the sale of these bonds, or the interest that they shall bear, that no sale can be made at any better rates or limits. This is not true. It was not so in the sale of the State bonds during the progress of our system of internal improvements. There was invariably a limit prescribed as to the interest the bonds should bear, and, according to the reports of the Fund Commissioners, sales were made for less than the rates prescribed, and in many instances a premium. But with all the restrictions that could be thrown around the sale of our bonds, the State suffered greatly, and she will not soon again lend her credit or become interested in any works of internal improvement.

We are now in the midst of the second history of internal improvements in Indiana, in which are involved a large amount of corporation stock of counties and cities.

It is a matter of but little difference, whether the State, counties or individuals are carrying on an enterprise; if the same fails or turns out badly, it will equally affect the whole community. All are alike interested in the welfare and prosperity of the State. The adoption of a principle that is liable to be abused, and will work to the injury of the one, will inevitably affect the other.

We have more than a million of county and city stock in the various railroads of the State, and the prospect is, that the amount will be largely increased the coming season. Whenever it shall become necessary, to carry on these works, that you have to place the credit of the companies in the hands of the money lenders, and the individual intrusted with the work without limit or restriction, that moment you will prostrate the credit of the country. What will be the character of our State abroad, when counties and cities shall be driven, in effect, to repudiate their obligations and contracts?

When this shall take place, you will find the dues of the State placed in the same situation.

When a rate of interest is established by law, and when, as with us, the rate is high compared with commercial rates, it is policy not to permit exceptions to the rule, except in extreme cases, and then there should be a limit.

In the case under consideration, it seems to me, that public policy points plainly to the enforcement of the rule within a given limit. It might be safe, and even desirable, to permit the sale of bonds at somewhat less than the par of State bonds of the same rate of interest, but the experience of the State admonishes us that the discretion, in such cases, should have its limits defined.

It is a remarkable fact, that in every instance that has come under my observation, where the power is sought to be given to the directors of companies to borrow money or make sales of bonds, without limit or restriction, that in the first instance, acts of incorporation have been passed by the Legislature in which no such power is given, and that counties in good faith have taken stock in said companies; that subsequently, amendments have been made from time



to time, until now this unlimited power is asked. It is suggested, with great deference, whether the adding of this power would not be a violation of the faith upon which the people of the several counties in their corporate name have heretofore taken stock in the various companies of the State.

It is said that the bill referred to does not authorize the selling of the bonds of the counties, or the hypothecating of them, at any rate of interest that may be agreed upon. While this is, perhaps, true, it is difficult for me to perceive the difference between giving the power expressly, in relation to the bonds of the counties, or making the same unlimited power applicable alone to the stock of the company or the bonds of the counties; or making the same unlimited power applicable alone to the stock of the company or the borrowing of money. If you affect the stock by exorbitant interest, or sell the bonds of the company at a ruinous sacrifice, it must affect the county stock as well as that of the citizen. All are connected together for the welfare of the work, and the adoption of a principle that is calculated to injure the one will injure the other. The objection to this want of limit, in the rate of interest to be paid for money borrowed, and in the sale of stocks is, that it gives a power which is liable to great abuse, and may involve the most ruinous consequences. And I cannot but think that the Legislature, in conferring such a power, have failed to consider with the requisite maturity all the abuses to which it is liable. We know not who are to hold the places of directors of these corporations, with the right thus to offer in market the stock of the companies, and to borrow money. Prudence requires that we should guard against every possible state of things that may arise.

The internal improvement system was undertaken with the too confident expectation that the works to be constructed, when finished, would be productive, and yield ample revenue to pay the interest on the debt incurred in their construction; that it would impose no burden of taxation. On the contrary, the system would confer great benefits upon the State, and relieve the people from the pressure of existing burdens. With such expectations, the obligations of the State were issued and scattered broad-cast in the market. Our experience of the disastrous consequences is too recent and costly to be forgotten. After the suspension of our public works in 1840, and when the delusions had been dispelled by the unmistakeable fact that there was no way to resuscitate the credit and vindicate the faith of the State than by a resort to taxation; it was then that the mode in which the obligations of the State had been sold was scrutinized. And there was no sentiment more common than this, that we should not pay anything on our bonds for which we had not received the money; and that we should only pay on the bonds sold the amount of which had been received. The transition from this sentiment is rapid to the following language in

the bill before us: "all sales at a discount, the same shall remain as valid and binding, in every respect, as if sold at par value."

It is proper, it seems to me, that we bring the question to this test, and to assume that the people of the counties may be called upon to provide for the payment of both principal and interest of their bonds, by taxation.

From the excitement on the subject of railroads, and the unlimited power that is now sought by the companies of the State, it would appear that private credit is almost exhausted; and it is now asked to exhaust public credit as far as possible, by offering, in our public and deliberate acts of legislation, to pay any rate of interest, however large, and to sell in market our credit, for any price, to raise money.

Whatever difference of opinion may exist as to limiting the rate of discount on bonds sold in the market, it seems to me that there should be but one sentiment in regard to the limitation of the rate of interest.

Is it not possible that, in the over anxiety to secure the means for the construction of a favorite work, the directors or agent might be induced to agree to such a rate of interest as, not only to be suicidal to the work itself, but by the destruction of public credit, to involve all others in its ruins?

It is confidently believed that no such policy has been projected or fostered in any State of the Union. And I trust Indiana will not be the first to set the example.

In addition to the above considerations, I cannot but regard the passage of a bill involving such important principles, on the same day of its introduction, by repeated suspensions of the rules, and without reference to a committee, as an instance of hasty legislation, which alone would justify executive interference.

JOSEPH A. WRIGHT.

January 8th, 1851.

Mr. Edwards moved a call of the House.

Which motion prevailed.

On motion by Mr. Rice,

Leave of absence was granted Mr. Houghman.

On motion by Mr. Patterson of Tippecanoe,

Leave of absence was granted Mr. O'Neal.

On motion by Mr. Græff,

Leave of absence was granted Mr. Lewis.

On motion by Mr. Benson,

Leave of absence was granted to Messrs. Gentry and Hutchinson.

The Clerk proceeded to the call, when eighty-five members answered to their names.

On motion by Mr. Edwards,

The absentees were sent for, viz: Messrs. Goodwin, Hubbard, Isom, Jackson, Jordan, Shull, Stone, and Usher.

The Speaker laid before the House the annual report of the Treasurer of State.

Which,

On motion by Mr. Brown of Shelby,

Was laid on the table, and one thousand copies of said report were ordered to be printed for the use of this House.

The question then being on the passage of the enrolled bill of the House,

No. 4. A bill to authorize the Terre Haute and Richmond Railroad Company to issue bonds for the sole purpose of borrowing money to complete said road and to secure their repayment by mortgaging the property of said company,

The objections of his Excellency, the Governor, to the contrary notwithstanding,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Campbell, Carr, Caylor, Chapman, Clark, Coburn, Conner, Cowan, Cox, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Elkins, Essex, Fleece, Franklin, Goodman, Goodwin, Graff, Hall, Hammond, Harris, Harrison, Haywood, Hicks, Hosbrook, Hubbard, Humphreys, Hutchinson, Isom, Jackson, Johnston, Jones, Jordan, Lank, Lawrence, Lindsey, Marshall, McCarty, McKim, McMakin, Millikan, Moore, Morgan, Morrow, Painter, Pancake, Patterson of Marshall, Peckenpaugh, Phillips, Pratt, Reynolds, Rice, Riley, Robbins, Ross, Shull, Simler, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Walls, Watson, Watt, Watts, Willard, Williamson, Wilson, Withers, Wittenmeyer, and Mr. Speaker—87.

*Those who voted in the negative were,*

Messrs. Gentry, Hamilton, Marquess, Marvin, McClelland, Mercer, Nelson, Patterson of Tippecanoe, Shook, and Stayner—10.

So the bill passed, the objections of the Governor to the contrary notwithstanding.

Ordered that the Clerk carry the same, with the objections of the Governor, to the Senate for its consideration.

A message from the Senate by Mr. Emerson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the Senate, to-wit:

No. 12. An act for the benefit of the New Albany and Salem Railroad Company,

The objections of the Governor to the contrary notwithstanding. Which, together with the Governor's objections, I am directed to bring to the House of Representatives for their consideration.

*Gentlemen of the Senate:*

I herewith return the bill of the Senate No. 12, being an act for the benefit of the New Albany and Salem Railroad Company, with my reasons for withholding my signature.

This bill authorizes the company to issue bonds, to sell the same within or out of this State, to bear any rate of interest per annum, and to sell the same at such rates and for such prices as may be agreed upon, and that such rates, though made at a discount, shall be as valid, as though the same was sold at par.

There is in this company county and city stock subscribed, and so far as I am advised, there is not a railroad in progress in the State in which there is not either city or county stock.

This work is one of the connecting links North and South through the State, it is progressing rapidly, is managed with prudence, and it is with great diffidence that I return you this bill, and ask at your hands, a reconsideration of the same.

During the last session, a short time after the commencement of my duties, this same question was presented to me. I took occasion then, in a special message, to offer some suggestions. Time has only served to convince me of the correctness of the opinions then advanced, and I take this opportunity, in the investigation of this subject, to refer you to a portion of the views I then offered, with such additional arguments as my time will allow me to lay before you.

Irrespective of the question as to the propriety of counties and cities in their corporate capacity subscribing to the stock of such works, it is clear that when such subscriptions are made, the interest which the counties and cities hold, should be surrounded by safeguards of the most unquestionable security. From this consideration alone, it is submitted that it would be improper to invest the directory of any company with unlimited power to sell bonds at any rate of discount they may please to make, and to cause them to bear any rate of interest however exorbitant. Is it not the duty of the law making power to protect the tax payers of the subscribing counties from encroachment especially when the irrevocable character of such bonds is considered?

But this objection to the unlimited rate of interest and discount, is greatly strengthened by a consideration of the vast number of enterprises of this character in this and the adjoining States; and the probable effect of their prosecution upon our financial condition. Facts of recent occurrence are full of instruction on this subject.

The lesson that a similar state of things taught the people of the old world, I trust are not forgotten. There, these enterprises have already received a severe check, and it would seem that the spirit of speculation has been transferred from that field of operation, in a great measure to this country.

Here similar scenes are now being enacted, not to the same extent, it may be, but unless a prudent foresight interpose its salutary check, there is ground for the apprehension that results equally disastrous will here ensue.

We are advised that one of the first moneyed houses of the old world, has lately established a branch in our great commercial metropolis, thus preparing for action, regarding this as the peculiar field for such operations; and from the very fact that it becomes necessary now, in the prosecution of these works, to ask leave to pay a higher rate of interest than usual, and to sell their bonds at whatever amount they may agree to receive, is evidence of a strong pressure, or, otherwise, of an over action in this branch of enterprise.

Indiana has had such a lesson on the subject of the prosecution of works of a similar character, that we shall be justly chargeable with a want of prudence, if we fall again into a like difficulty, without having made some exertion to avoid the disaster. If the moneyed operations of these companies are confined to the ordinary and safe methods of conducting business; if large debts are not contracted, at heavy rates of interest, or at a ruinous discount, then in case of a general pressure, the worst that could happen would be a suspension of the work.

But consider what would be the effect, if by a general monetary revulsion, such a work should be arrested, while in the midst of its active operations, if burthened with the obligation to pay heavy rates of interest, and at the same time, with no part of the work so far finished, as to be susceptible of producing revenue.

Extend this example over the whole State, and what would we see, but the materials of these works brought under the hammer, the lands pledged to them disposed of at forced sales, to the consternation of the too confiding occupants, and the tax payers of a subscribing county, groaning under a burdensome imposition for the purpose of paying the interest on a stock which pays no dividends?

It is said, if a limit is prescribed as to the sale of these bonds, or the interest that they shall bear, that no sale can be made at any better rates or limits. This is not true. It was not so in the sale of the State bonds, during the progress of our system of internal improvements. There was invariably a limit prescribed as to the interest the bonds should bear, and according to the reports of the Fund Commissioners, sales were made for less than the rates prescribed and in many instances a premium.

But, with all the restrictions that could be thrown around the sale of our bonds, the State suffered greatly; and she will not soon again

lend her credit or become interested in any works of internal improvement.

We are now in the midst of the second history of internal improvements in Indiana, in which are involved a large amount of corporation stock of counties and cities. It is a matter of but little difference whether the State, counties, or individuals, are carrying on an enterprise, if the same fails, or turns out badly, it will equally affect the whole community. All are alike interested in the welfare and prosperity of the State; the adoption of a principle that is liable to be abused, and will work to the injury of the one, will inevitably affect the other.

We have more than a million of county and city stock in the various railroads of the State, and the prospect is, that the amount will be largely increased the coming season.

Whenever it shall become necessary, to carry on these works, that you have to place the credit of the companies in the hands of the money lender, and the individual entrusted with the work, without limit or restriction, that moment you will prostrate the credit of the country.

What will be the character of our State abroad, when counties and cities shall be driven, in effect, to repudiate their obligations and contracts. When this shall take place, you will find the dues of the State placed in the same situation.

When a rate of interest is established by law, and when, as with us, the rate is high, compared with commercial rates, it is good policy not to permit exceptions to the rule, except in extreme cases, and then there should be a limit.

In the case under consideration, it seems to me that public policy points plainly to the enforcement of the rule within a given limit.

It might be safe, and even desirable to permit the sale of bonds at somewhat less than the par of State bonds of the same rate of interest; but the experience of the State admonishes us that the discretion in such cases should have its limit *defined*.

It is a remarkable fact, that in every instance that has come under my observation, where this power is sought to be given to the directors of companies to borrow money or make sales of bonds, without limit or restriction, that in the first instance acts of incorporation have been passed by the Legislature in which no such power is given, and that counties, in good faith, have taken stock in said companies; that subsequently amendments have been made from time to time, until now this unlimited power is asked.

It is suggested, with great deference, whether the adding of this power would not be a violation of the faith upon which the people of the several counties, in their corporate names, have heretofore taken stock in the various companies of the State?

It is said that the bill referred to does not authorize the selling of the bonds of the counties, or the hypothecating of them at any rate of interest that may be agreed upon. While this is, perhaps, true,

it is difficult for me to perceive the difference between giving the power expressly, in relation to the bonds of the counties, or making the same unlimited power applicable alone to the stock of the company, or the borrowing of money. If you affect the stock by exorbitant interest, or sell the bonds of the company at a ruinous sacrifice, it must affect the county stock as well as that of the citizen. All are connected together for the welfare of the work, and the adoption of a principle that is calculated to injure the one, will injure the others.

The objection to this want of limit in the rate of interest to be paid for money borrowed, and in the sale of stocks is, that it gives a power which is liable to great abuse, and may involve the most ruinous consequences; and I cannot but think that the Legislature, in conferring such a power, have failed to consider, with the requisite maturity, all the abuses to which it is liable. We know not who are to hold the places of directors of these corporations, with the right thus to offer in market the stock of the companies, and to borrow money. Prudence requires that we should guard against every possible state of things that may arise.

The internal improvement system was undertaken with the too confident expectation that the works to be constructed, when finished, would be productive, and yield ample revenue to pay the interest on the debt incurred in their construction; that it would impose no burden of taxation. On the contrary, the system would confer great benefits upon the State, and relieve the people from the pressure of existing burdens. With such expectations the obligations of the State were issued and scattered broad-cast in the market. Our experience of the disastrous consequences is too recent and costly to be forgotten. After the suspension of our public works in 1840, and when the delusions had been dispelled by the unmistakeable fact that there was no way to resuscitate the credit and vindicate the faith of the State than by a resort to taxation, it was then that the mode in which the obligations of the State had been sold, was scrutinized, and there was no sentiment more common than this: that we should not pay any thing on our bonds for which we had not received the money, and that we should only pay on the bonds sold the amount of which had been received.

The transition from this sentiment is rapid to the following language in the bill before us: "All sales at a discount, the same shall remain as valid and binding in every respect as if sold at par value."

It is proper, it seems to me, that we bring the question to this test, and to assume that the people of the counties may be called upon to provide for the payment of both principal and interest of their bonds by taxation.

From the excitement upon the subject of railroads, and the unlimited power that is now sought by the companies of the State, it would appear that private credit is almost exhausted; and it is now asked to exhaust public credit, as far as possible, by offering, in our public and deliberate acts of legislation, to pay any rate of interest,

however large, and to sell in market our credit for any price, to raise money.

Whatever difference of opinion may exist as to limiting the rate of discount on bonds sold in the market, it seems to me that there should be but one sentiment in regard to the limitation of the rate of interest.

Is it not possible that, in the over anxiety to secure the means for the construction of a favorite work, the directors or agent might be induced to agree to such a rate of interest as not only to be suicidal to the work itself, but by the destruction of public credit, to involve all others in its ruins?

It is confidently believed that no such policy has been projected or forstered in any State in the Union, and I trust Indiana will not be the first to set the example.

In addition to the above considerations, I cannot but regard the passage of a bill involving such important principles, on the same day of its introduction, by repeated suspensions of the rules, and without reference to a committee, as an instance of hasty legislation, which alone would justify executive interference.

JOSEPH A. WRIGHT.

January 8th, 1851.

On motion by Mr. Usher,

The House reconsidered the vote on the passage of the enrolled bill of the Senate,

No. 12. An act for the benefit of the New Albany and Salem Railroad Company,

Contained in the foregoing mesage, and referred to in the objections of his Excellency the Governor.

The question then being, shall the bill pass, the objections of the Governor to the contrary notwithstanding?

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Campbell, Carr, Caylor, Chapman, Clark, Coburn, Conner, Cowan, Cox, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Elkins, Essex, Fleece, Franklin, Goodman, Goodwin, Graff, Hall, Hammond, Harris, Haywood, Hicks, Hosbrook, Hubbard, Humphreys, Hutchinson, Isom, Jackson, Johnston, Jones, Jordan, Lank, Lawrence, Lindsey, Marshall, McCarty, McMakin, Millikan, Moore, Morgan, Morrow, Painter, Pancake, Patterson of Marshall, Peckenpaugh, Phillips, Pratt, Reynolds, Rice, Riley, Robbins, Ross, Shull, Simler, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Walls, Watson, Watt, Watts, Willard, Williamson, Wilson, Withers, Wittenmeyer, and Mr. Speaker—84.



*Those who voted in the negative were,*

Messrs. Gentry, Hamilton, Marquess, Marvin, McClelland, Mercer, Nelson, Patterson of Tippecanoe, Shook, and Stayner—10.

So the bill passed, the objections of the Governor to the contrary notwithstanding.

Ordered that the Clerk inform the Senate thereof, and return said bill to the Senate where it originated.

Mr. Edwards moved to order the printing of two hundred copies of the Governor's objections to the passage of the foregoing bill.

Mr. Patterson of Tippecanoe proposed five hundred copies.

Mr. Chapman proposed one thousand copies.

The question being on the proposition to print one thousand copies,

Was decided in the affirmative.

The Speaker laid before the House the Seventh Annual Report of Trustees of the Indiana State Asylum for the education of the Deaf and Dumb.

Mr. Conner moved to lay the report upon the table and print one thousand copies.

Mr. Hicks proposed one thousand five hundred copies.

Mr. Coburn proposed three thousand copies; one thousand five hundred copies for the use of the House, and one thousand five hundred copies for the use of the Asylum.

The question being on the proposition to print three thousand copies of the report,

Was decided in the affirmative.

Mr. Gentry, from the committee on Enrolled Bills made the following report:

**MR. SPEAKER:**

The committee on Enrolled Bills have compared the following enrolled with the engrossed bills of the House and find them correctly enrolled, to-wit:

No. 6. An act relative to the assessment and collection of a specific road tax in Deer Creek township, Cass county.

No. 7. An act for the relief of the inhabitants of Congressional township, No. 25, north of range No. 2 east, in Cass county.

No. 19. An act to change the name of Melissa Jane Gillespie, to that of Melissa Jane Blair.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Coburn, Chairman of the committee on Engrossed Bills made the following report:

**MR. SPEAKER :**

The committee on Engrossed Bills have examined bills Nos. 67 and 70, and report that they are correctly engrossed.

On motion by Mr. Ross,

The House adjourned to meet at 9 o'clock to-morrow morning.

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**THURSDAY MORNING, January 9, 1851.**

The House met.

A message from the Senate, by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof:

No. 2. An act to change the name of the Perry cotton mill, at Cannelton.

No. 7. An act to incorporate the Levee and Draining Company.

No. 15. An act for the relief of Joseph Allen, of Crawford county.

No. 26. An act to amend an act entitled an act to incorporate the Cannelton Savings Institution, approved January 18, 1850.

No. 30. An act relative to the Clark County Central Plank Road Company.

No. 39. An act to amend an act entitled an act to incorporate the Terre Haute and Richmond Railroad Company, approved January 26, 1847, and the several acts amendatory of said act.

No. 32. An act to amend an act entitled an act to incorporate the Hamilton Manufacturing Company.

No. 45. An act declaring a misprint in an act approved January 16, 1849.

No. 51. An act to increase the per diem allowance of the probate judges of the probate court of Montgomery and Madison counties.

In which the concurrence of the Senate is respectfully requested.

A message from the Senate by Mr. Emerson their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representa-

tives that the Senate has passed the following engrossed bill of the House with amendment.

No. 21. An act to repeal an act giving further time to assessors, approved January 13, 1844, and all laws contravening the provisions of section 28, of chapter 12, of the revised Statutes of 1843.

In which amendment the concurrence of the House is respectfully requested.

A message from the Senate by Mr. Emerson their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House without amendment.

No. 5. An act to incorporate the town of Vernon, in Jennings county.

No. 30. An act defining the duties of the County Treasurer of Lake county.

#### PETITIONS, MEMORIALS, &C., INTRODUCED.

By Mr. Cowan;

The petition of sundry citizens of Jasper county to prevent the hogs and sheep from running at large in townships 27 and 28 of said county.

Which,

On motion,

Was referred to the committee on Agriculture.

Mr. Davis of Scott moved to correct the Journal of the House of yesterday by inserting 2000 copies of the reports of the Deaf and Dumb Asylum for the use of this House, and 1000 for the use of the Asylum.

Which correction was concurred in.

By Mr. Swihart of Huntington;

The petition from sundry citizens of Huntington county on the subject of common schools.

Which,

On motion,

Was referred to the committee on Education.

By Mr. Thompson of Carroll;

The petitions of the Lawyers and officers of the Carroll Probate Court, requesting an act to extend the time of holding said court.

Which,

On motion,

Was referred to a select committee consisting of Messrs. Thompson of Carroll, Swihart of Wabash, and Ross.

## REPORTS FROM COMMITTEES.

Mr. Bradley reported back bill of the House No. 34.

MR. SPEAKER:

The committee on Corporations, to whom was referred bill of the House, No. 34, an act to extend the powers of the Lawrenceburg and Upper Mississippi Railroad Company, have had the same under consideration, and have instructed me to report the same back to the House and respectfully to recommend its passage.

On motion by Mr. Dumont,

The bill contained in the foregoing report was read a third time, the rule being suspended therefor.

The question then being, shall the bill pass?

The ayes and noes being demanded by Messrs. Patterson of Tippecanoe and Nelson,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Shelby, Bulla, Campbell, Carr, Caylor, Chapman, Clark, Coburn, Conner, Cowan, Cox, Crawford, Crim, Davis of Scott, Davis of Dubois, Donaldson, Edwards, Elkins, Essex, Fleece, Franklin, Goodman, Goodwin, Graft, Hall, Hammond, Harris, Harrison, Haywood, Hicks, Hosbrook, Hubbard, Humphreys, Hutchinson, Isom, Jackson, Johnston, Jones, Jordan, Lank, Lawrence, Lewis, Lindsey, Marshall, McCarty, McMakin, Moore, Morgan, Morrow, Pancake, Patterson of Marshall, Peckenpaugh, Phillips, Pratt, Reynolds, Rice, Riley, Robbins, Ross, Simler, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Walls, Watson, Watt, Watts, Willard, Williamson, Wilson, Withers, Wittenmeyer, and Mr. Speaker—83.

*Those who voted in the negative were,*

Messrs. Gentry, Hamilton, Marvin, McClelland, McKim, Mercer, Nelson, Painter, Patterson of Tippecanoe, Shook, and Stayner—11.  
So the bill passed.

Messrs. Marquess and Millikan being excused from voting by the House.

Mr. Bradley, chairman of the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred the petition of William Cole and others, praying the passage of an act to vacate the town of Charleston, in Huntington county, have had the same under consideration, and have instructed me to report the following bill and respectfully recommend its passage:

No. 77. A bill to vacate the town of Charleston, in Huntington county.

Which was read a first time and passed to a second reading.

The Speaker laid before the House the Fourth Annual Report of the Trustees of the Indiana Institute for the education of the Blind.

On motion by Mr. Chapman,

The report was laid upon the table, and 2000 copies ordered to be printed for the use of this House, and 1000 for the use of the Institution.

A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the resolution of the House, providing for the election of a United States' Senator, with the following amendment, to-wit.

Strike out "the 8th," and insert in lieu thereof, "the 11th."

In which amendment the concurrence of the House is respectfully requested.

Mr. Hutchinson moved to concur in the amendment of the Senate, with the following amendment:

Strike out "the 11th," and insert "the 14th" day.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Benson, Blue, Coburn, Cox, Goodwin, Hall, Hutchinson, Isom, Lewis, Marquess, McClelland, McKim, Mercer, Rice, Shull, Simler, Stone, and Walls—18.

*Those who voted in the negative were,*

Messrs. Armstrong, Bird, Bradley, Brown of Shelby, Bulla, Campbell, Carr, Caylor, Chapman, Clark, Conner, Cowan, Crawford, Crim, Davis of Scott, Donaldson, Edwards, Elkins, Essex, Fleece, Franklin, Gentry, Goodman, Graff, Hamilton, Hammond, Harris, Harrison, Haywood, Hicks, Hosbrook, Hubbard, Humphreys, Jackson, Johnston, Jones, Jordan, Lank, Lawrence, Lindsey, Marshall, Marvin, McMakin, Millikan, Moore, Morgan, Morrow, Nelson, Painter, Pan-

cake, Patterson of Marshall, Patterson of Tippecanoe, Peckenpaugh, Phillips, Pratt, Reynolds, Riley, Robbins, Ross, Shook, Stayner, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Watson, Watt, Watts, Willard, Williamson, Wilson, Withers, Wittenmeyer, and Mr. Speaker—77.

So the amendment was not adopted.

Mr. Lewis moved to lay the resolution upon the table.

Which motion did not prevail.

The amendment of the Senate was then concurred in.

#### RESOLUTIONS.

On motion by Mr. Humphreys,

*Resolved*, That the committee of Ways and Means are instructed to inquire into the expediency of allowing Harden Walker and others \$200 for capturing Hiram Bland.

Mr. Harrison offered the following resolution :

*Resolved*, That the committee on Swamp Lands are instructed to inquire into the expediency of relinquishing those lands to the several counties in which they are located.

Which was not adopted.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following enrolled act of the Senate, passed by both houses of the General Assembly at its last session, to-wit :

No. 212. An act for the relief of certain persons therein named, in Warren county,

The objections of the Governor to the contrary notwithstanding.

Which, together with the objections of the Governor, I am directed to bring to the House of Representatives for their consideration.

On motion by Mr. Pratt,

*Resolved*, That the committee on the Judiciary be instructed to inquire whether some legislation is not necessary to give validity and effect to subscriptions for benevolent purposes and public enterprises.

## JOINT RESOLUTIONS INTRODUCED.

By Mr. Gentry;

No. 78. A joint resolution in relation to the Bounty Land Law of Congress, of September 28, 1850;

Which was read a first time and,

On motion,

The rule was suspended, the resolution read a second time and referred to the committee on the Judiciary.

By Mr. Bradley;

No. 79. A joint resolution to authorize the Secretary of State to subscribe for a certain number of copies of the Indiana Reports;

Which was read a first time.

On motion,

The rule was suspended, the joint resolution was read a second time.

Mr. Bradley moved to refer the joint resolution to a select committee.

Mr. Chapman moved to refer the joint resolution to the committee on the Judiciary.

The question being to refer the joint resolution to the committee on the Judiciary,

Was decided in the affirmative.

## BILLS INTRODUCED

By Mr. Withers;

No. 80. A bill to exempt from sale, on execution, the homestead of a householder having a family;

Which was read a first time.

On motion by Mr. Humphreys,

The bill was laid on the table, and one hundred copies ordered to be printed.

By Mr. Elkins;

No. 81. A bill to amend an act entitled "an act to incorporate the Fort Wayne and Bluffton Turnpike Company," approved Jan. 16th, 1849;

Which was read a first and second times, the rules being suspended therefor, and referred to the committee on Corporations.

By Mr. Pancake;

No. 82. A bill to amend section 13, of "an act to increase and extend the benefits of common schools in the county of Noble, and for other purposes;"

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed.

By Mr. Patterson of Marshall;

No. 83. A bill to provide for the return of the vote on the school law to the office of the Secretary of State;

Which was read a first, second, and third times, the rules being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

The order of business being suspended,

On motion by Mr. Watts,

*Resolved*, That the committee appointed for the purpose of superintending certain repairs of this House, be authorized to contract for a carpet for this Hall as soon as practicable.

By Mr. Goodwin;

No. 84. A bill to provide for the election of Township Assessors in the counties of Daviess and Martin;

Which was read a first time.

On motion,

The rule was suspended, and the bill read a second time.

Mr. Haywood moved to amend the bill by adding the county of Rush.

Mr. Marquess moved to strike out the counties named in the bill, and make the law general.

Mr. Usher moved to refer the bill to the committee on Ways and Means.

Mr. Patterson of Tippecanoe moved to amend the motion of Mr. Usher by adding the following instructions: "Inquire into the expediency of making the provisions general, and whether the damages therein contemplated be for the use of the county seminary, may not be applied to the use of common schools?"

The question being on committing the bill and pending amendments,

Was decided in the affirmative.

By Mr. Hall;

No. 85. A bill for the relief of township clerks in the county of Posey.

By Mr. Pratt;

No. 86. A bill authorizing Cyrus Taber and Allen Hamilton, to build a mill dam across the Wabash river in Cass county;

Were each read a first time, and passed to a second reading.

By Mr. Donaldson;

No. 87. A bill to provide for electing Supervisors by districts;

Which was read a first time.

On motion,

The rule was suspended and the bill read a second time.

Mr. Elkins moved to refer the bill to the committee on Roads.

Mr. Jackson moved to instruct the committee to amend the bill by inserting the county of Tipton;

Which motion prevailed.



By Mr. Blue;

No. 88. A bill to amend sections 302, 303 and 304 of article 13, chapter 47, of Revised Statutes of 1843;

Which was read a first time,

When,

On motion,

The rule was suspended, the bill read a second time and referred to the committee on the Judiciary.

By Mr. Jackson;

No. 89. A bill to authorize John Warren to file a bill in chancery in the Tipton circuit court;

Which was read a first time,

When,

On motion,

The rule was suspended and the bill read a second time.

On motion by Mr. Patterson of Tippecanoe,

The bill was referred to the committee on the Judiciary.

On motion,

The order of business was suspended.

Mr. Usher offered the following resolution:

*Resolved*, That the committee for Repairs of this Hall be discharged from any further duty concerning the same.

Which was not adopted.

On motion by Mr. Goodwin,

Leave of absence was granted Mr. Brown of Pike.

On motion by Mr. Donaldson,

The House adjourned to meet at two o'clock, P. M.

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2 o'clock, P. M.

House met.

The Speaker laid before the House, report of the Branch Bank of the State of Indiana, at Madison;

Which,

On motion by Mr. Davis of Scott,

Was referred to the committee on the State Bank.

On motion,

The order of business was suspended.

Mr. Millikan from a select committee made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition for, and remonstrance against granting, by law, the power to the legally qualified voters of school district No. 7, town 36 north, range 3 west, to levy a tax upon the proverty in the same, for the purpose of building a school house, have had the same under consideration, and find that there are seventeen petitioners for, and ten persons who remonstrate against granting the power to levy such tax.

The committee, however, have instructed me to report the following bill, and respectfully ask its passage:

No. 90. A bill to enable the qualified voters of school district No. 7, town 36, range 3 west, in Laporte county, to levy a tax for the purpose of building a school house;

Which was read a first time and passed to a second reading.

By Mr. Pratt ;

No. 91. A bill to correct a misprint and supply an omission in an act entitled "an act directing the Secretary of State to make a patent to James Hensley, for certain Wabash and Erie Canal lands," approved January 21, 1850.

By Mr. Hutchinson;

No. 92. A joint resolution giving the right of purchase to the United States, of a site for a Marine Hospital at Evansville, Indiana.

Were each read a first, second and third times, the rules being suspended therefor, and passed.

Ordered, that the clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the resolution of the House providing for the election of a Warden of the State prison, on Tuesday next, at 2 o'clock, P. M.,

Without amendment.

By Mr. Harrison ;

No. 93. A bill to authorize the Prosecuting Attorney of Porter county to prosecute divorce cases in the Circuit Court.

Which was read a first and second times, the rules being suspended therefor, and,

On motion by Mr. Franklin,

Was referred to the committee on the Judiciary.

## HOUSE BILLS ON THIRD READING.

No. 20. A bill to abolish the offices of school commissioner and county agent in Brown county.

No. 40. A bill to incorporate the Athenian Society of the Indiana University.

No. 41. A bill to authorize the Auditor of Clinton county to make to John Mohn a certificate of purchase for a certain tract of land in said county.

No. 42. A bill to legalize the election of the county commissioners of the county of Owen.

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 48. A joint resolution on the subject of the bounty lands granted to certain officers and soldiers who were engaged in the military service of the United States.

Which was read a third time.

The question being, shall the joint resolution pass?

The ayes and noes were demanded by Messrs. Jones and Brown of Shelby,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Blue, Bradley, Caylor, Cowan, Cox, Crawford, Davis of Dubois, Donaldson, Elkins, Essex, Gentry, Goodman, Goodwin, Graff, Hall, Harrison, Hutchinson, Isom, Jordan, Lindsey, Marquess, Marshall, McKim, Millikan, Moore, Morrow, Painter, Pancake, Patterson of Tippecanoe, Peckenpaugh, Phillips, Rice, Riley, Ross, Shook, Simler, Stayner, Swihart of Wabash, Walls, Watt, Watts, Withers, Wittenmeyer, and Mr. Speaker—46.

*Those who voted in the negative were,*

Messrs. Benson, Brown of Shelby, Bulla, Campbell, Carr, Clark, Coburn, Conner, Crim, Davis of Scott, Edwards, Fleece, Franklin, Hamilton, Hammond, Harris, Haywood, Hicks, Hosbrook, Humphreys, Jackson, Johnston, Jones, Lank, Lawrence, Lewis, Marvin, McCarty, McClelland, McMakin, Morgan, Nelson, Patterson of Marshall, Pratt, Reynolds, Robbins, Shull, Stone, Schwartz, Swihart of Huntington, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Willard, Williamson and Wilson—47.

So the joint resolution did not pass.

Mr. Caylor moved that the House adjourn,

Which motion did not prevail.

The Speaker laid before the House the sixth annual report of the

commissioners, and the second annual report of the medical superintendent of the Indiana Hospital for the Insane.

Which,

On motion by Mr. Hicks,

Was laid upon the table and 3000 copies ordered to be printed—1500 for the use of this House, and 1500 for the use of the Hospital.

#### HOUSE BILLS ON SECOND READING.

No. 50. A bill to repeal an act entitled an act to incorporate the LaGrange Phalanx, approved January 13th, 1845.

Was read a second time.

Mr. Stayner moved to amend the bill by inserting after 1851, in the second section, "and that they be paid for their services out of the property of the aforesaid corporation."

Which motion prevailed.

The bill as amended was ordered to be engrossed.

No. 51. A joint resolution, recommending Congress to establish a line of steamers to advance colonization.

No. 52. A bill to amend an act regulating the jurisdiction and duties of Justices of the Peace in the county of Dearborn.

Were each read a second time and ordered to be engrossed.

No. 53. A bill incorporating the Peru and Andersontown Plank Road Company;

Which was read a second time.

Mr. Patterson of Tippecanoe offered the following amendment:

*Provided, always,* That the stockholders aforesaid shall be individually liable for all the debts contracted by the said company.

On motion by Mr. Conner,

The bill and pending amendments were referred to the committee on Corporations.

No. 54. A bill to further amend an act entitled an act to incorporate the Michigan Road Company, approved January 13, 1845, and for other purposes.

On motion by Mr. Marvin,

The bill was referred to a select committee consisting of Messrs. Coburn, Pratt and Marvin.

No. 55. A bill to amend an act entitled an act to reduce the law incorporating the city of Madison, and the several acts amendatory thereto, into an act, and to amend the same, approved February 14, 1848;

Which was read a second time.

On motion by Mr. Watts,

The bill was amended by striking out the 13th section.

The bill was then ordered to be engrossed.

No. 56. A bill to authorize the sale of school lands in Perry county.

No. 57. A bill directing the Auditor of State to pass over to the Treasurer of Ripley county certain funds therein named.

Were each read a second and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

No. 59. A bill to amend section 17, chapter 35, of the Revised Statutes of 1843;

Was read a second time.

Mr. Pratt moved to suspend the rule and read the bill a third time.

Mr. Hicks moved to refer the bill to the committee on the Judiciary.

Which motion did not prevail.

The question then recurring on the question to suspend the rule,

Was decided in the affirmative.

The bill was read a third time, and,

On motion,

Referred to the committee on the Judiciary.

No. 60. A bill relative to plank roads.

Was read a second time, and,

On motion by Mr. Hammond,

Was referred to the committee on Corporations.

Mr. Shook, chairman of the committee on Enrolled Bills, made the following report :

**MR. SPEAKER :**

The committee on Enrolled bills have compared the following enrolled with the engrossed bills of the House and find them correctly enrolled, to-wit:

No. 2. An act to change the time of holding courts in the Eighth Judicial Circuit.

No. 30. An act defining the duties of the County Treasurer of Lake county.

Mr. Coburn, chairman of the committee on Engrossed Bills, submitted the following report :

**MR. SPEAKER :**

The committee on Engrossed Bills report that bills numbered 34, 83, 20, 40, 41, 42, 82, 91, and 92, are correctly engrossed.

A message from the Senate, by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representa-

tives that the Senate has passed the following enrolled act of the House, to-wit:

No. 4. An act authorizing the Terre Haute and Richmond Railroad Company to issue bonds for the sole purpose of borrowing money to complete said road, and to secure their repayment by mortgaging the property of said company;

The objections of the Governor to the contrary notwithstanding.

On motion by Mr. Watts,

The House adjourned, to meet to-morrow morning at 9 o'clock.

FRIDAY MORNING, January 10, 1851.

The House met.

A message from the Senate by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House without amendment:

No. 70. An act to extend the time of the February and May terms of the Laporte Probate Court.

**PETITIONS, MEMORIALS, &C., PRESENTED.**

By Mr. Simler;

The memorial of sundry ladies and gentlemen of Harrison county, on the subject of temperance;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Swihart of Huntington;

The petition of sundry citizens of Huntington and Whitely counties, on the subject of plank roads;

Which,

On motion,

Was referred to the committee on Roads.

By Mr. Millikan;

The memorial of sundry citizens of the county of Laporte, on the subject of temperance;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Reynolds;

The memorial of sundry ladies of St. Joseph county, on the subject of temperance;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Pancake;

The petition of sundry citizens of district No. 5, township 33, in Kosciusko county, on the subject of building a school house;

Which,

On motion,

Was referred to the committee on Roads.

By Mr. Crim;

The petition of sundry citizens of Madison county, in regard to giving Justices of the Peace of Anderson township, jurisdiction in certain cases, &c.;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Thompson;

The petition of sundry citizens of Carroll county, in regard to the office of County Auditor;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Thompson, Jackson, McClelland, Pratt, and Donaldson.

#### REPORTS FROM COMMITTEES.

Mr. Franklin, from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred the petition of Joshua Carithers *et al.*, praying the Legislature to divorce the said Joshua from Eliza Ann, his wife, have had the same under consideration, and instructed me to report it inexpedient to grant the prayer of said petitioners; and ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Pratt, from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred a resolution of the House instructing them to bring in a bill making the modes in which writs of summons in actions at law, and subpœnas in chancery are served upon defendants, uniform; and also instructing them to inquire whether the present law, allowing the service of summons upon the defendant by leaving a copy thereof at his usual or last place of residence, does not require some modification to protect the rights of absent defendants, have had the same under consideration, and have directed me to report the accompanying bill, and recommend its passage:

No. 94. A bill relative to the service of writs of summons in actions at law, and subpœnas in chancery.

Which was read a first time and passed to a second reading.

Mr. Edwards, from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred a resolution of the House instructing them to inquire into the expediency of providing general laws for the incorporation of companies for the construction of rail and plank roads, turnpike, and other improvements, have instructed me to report that it is inexpedient, at this time, to legislate upon the subject, and to recommend that the resolution be laid upon the table.

Which was concurred in.

Mr. Franklin, from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred the petition of George Phillippe, praying to be divorced from his wife Eliza, have had the same under consideration, and instructed me to report it inexpedient to grant the prayer of said petitioner; and ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Watt, chairman of the committee on Roads, made the following report:



**MR. SPEAKER:**

The committee on Roads, to whom was referred bill No. 8, entitled "a bill to provide for electing Supervisors by districts, in the counties of Wells, Allen, Noble, and Steuben," have had the subject under consideration and respectfully ask that the provisions of the bill be extended to all the counties in the State, and that the committee be discharged from the further consideration of the subject.

On motion by Mr. Davis of Scott,

The bill and pending amendment were referred to the committee on the Judiciary.

Mr. Watt, chairman of the committee on Roads, made the following report:

**MR. SPEAKER:**

The committee on Roads to whom was referred bill No. 32, entitled, "an act to repeal section 148 of chapter five, Revised Statutes, 1843," have had the same under consideration, and deem legislative action thereon inexpedient, and respectfully ask to be discharged from the further consideration of the subject;

Which was not concurred in.

On motion by Mr. Goodwin,

No. 32. A bill to repeal section 148, chapter 5, Revised Statutes of 1843;

Contained in the foregoing report, was so amended as to apply to the county of Daviess alone.

#### REPORTS FROM SELECT COMMITTEES.

Mr. Morrow from a select committee made the following report:

**MR. SPEAKER:**

The select committee to whom was referred the petition of Thomas Hess and other citizens of the counties of Blackford, Grant and Howard, praying for the appointment of Commissioners to view, mark and locate a State road—commencing at Hartford in Blackford county, passing through Cumberland in Grant county, and terminating at Kokomo in Howard county, have had the subject under consideration and directed me to report the accompanying bill and recommend its passage.

No. 95. A bill authorizing the location of a State road from

Hartford in Blackford county through New Cumberland, in Grant county to Kokomo in Howard county ;

Which was read a first time and passed to a second reading.

Mr. Graff from a select committee made the following report:

MR. SPEAKER :

The select committee to whom was referred House bill No. 43, entitled "a bill to require venders of medicine to procure license in Pike county," have had the same under consideration, and instructed me to report the same back as inexpedient, and therefore recommend its indefinite postponement;

Which was concurred in.

The Speaker laid before the House a communication from Charles Jolly, of Dearborn county, on the subject of common schools;

Which,

On motion,

Was referred to the committee on Education.

#### RESOLUTIONS.

On motion by Mr. Phillips,

*Resolved*, That the committee on Education be requested to enquire into the expediency of revising, and consolidating, in pamphlet form, all laws pertaining to, or intended for the promotion and government of common schools. And provide for the furnishing each and every officer in the State engaged therein, with a copy of said revised law, with leave to report by bill or otherwise.

On motion by Mr. Millikan,

*Resolved*, That the committee on Education be authorized to enquire into the expediency of amending section 9 of an act, "to increase and extend the benefits of common schools," approved January 17, 1849, so that it shall be lawful to elect three Trustees in each school district instead of one as is now authorized by law.

On motion by Mr. Conner,

*Resolved*, That the House will each day at 2 o'clock, P. M., take up the orders of the day, unless sooner reached, and that messages of the Senate be first taken up and disposed of.

On motion by Mr. Jackson,

*Resolved*, That the Door-keeper be required to call on the Secretary of State, to furnish this House with a certified copy of the acts of the last session of Congress, granting to the State of Indiana certain swamp lands, and that the said Door-keeper be required to have one hundred copies printed for the use of this House at as early a day as possible.

On motion by Mr. Dumont,

*Resolved*, That the Judiciary committee be instructed to enquire into the expediency of so amending the existing law on the subject of a change of venue in criminal cases as to make it discretionary with the court instead of imperative.

A message from the Governor, by Mr. Noel, Executive Messenger :

MR. SPEAKER :

I am directed by the Governor to inform the House of Representatives that he has approved and signed the following bills :

No. 16. An act to legalize the election of Samuel Geisinger, to the office of County Treasurer of Elkhart county.

No. 6. An act in relation to the assessment and collection of a specific road-tax in Deer Creek township, Cass county.

No. 7. An act for the relief of the inhabitants of congressional township No. 25, north of range No. 2 east, in Cass county.

No. 19. An act to change the name of Melissa Jane Gillespie, to that of Melissa Jane Blair.

#### BILLS INTRODUCED.

By Mr. Thorn;

No. 96. A bill to amend the 65th and 66th sections of the 38th chapter of the Revised Statutes.

By Mr. Pratt;

No. 97. A bill relative to the practice of law.

Were each read a first time and passed to a second reading.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-

tives that the Senate have passed the following engrossed bills thereof:

No. 13. An act to amend sections 456 and 457 of chapter 30, article 17, of the Revised Statutes of 1843, as to renting and leasing of real estate by executors, administrators, and guardians.

No. 54. A joint resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county.

No. 57. An act to pay counsel in certain cases.

In which the concurrence of the House is respectfully requested.

#### ORDERS OF THE DAY.

The message from the Senate containing House bill No. 21, a bill to repeal an act giving further time to assessors, approved January 15th, 1844, and all laws containing the provision of section 28, of chapter 12, of the Revised Statutes of 1843, with the engrossed amendment of the Senate thereto was taken up.

The question being on concurring in the engrossed amendment of the Senate,

Was decided in the affirmative.

Ordered that the Clerk inform the Senate thereof:

#### SENATE BILLS ON FIRST READING.

No. 2. A bill to change the name and extend the corporate privileges of the Perry cotton mill at Cannelton.

No. 7. An act to incorporate the Levee and Draining Company.

No. 15. A bill for the relief of Joseph Allen, of Crawford county.

No. 26. A bill to amend an act entitled an act to incorporate the Cannelton Savings Institution, approved January 18, 1850.

No. 30. A bill relative to the Clark County Central Plank Road Company.

No. 32. A bill to amend an act entitled an act to incorporate the Hamilton Manufacturing Company.

Were severally read a first time and passed to a second reading.

No. 39. A bill to amend an act entitled an act to incorporate the Terre Haute and Richmond Railroad Company, approved January 26, 1847, and the several acts amendatory of said act,

Was read a first time,

On motion,

The rules were suspended, and the bill read a second time.

On motion by Mr. Edwards,

It was referred to a select committee, consisting of Messrs. Edwards, Usher, Goodman, Williamson, Johnson, McCarty, Coburn,

Morgan, Hosbrook, Caylor, Marshall, Lawrence, Bulla, Hubbard, and Jordan.

No. 45. A bill declaring a misprint in an act approved January 11, 1849.

No. 51. A bill to increase the per diem allowance of the Probate Judges of the Probate Courts of Montgomery and Madison counties.

No. 25. A bill to authorize the Auditor of Harrison county to make a deed therein named.

Were severally read a first time and passed to a second reading.

No. 28. A bill to incorporate the Ohio and Indiana Railroad Company;

Was read a first time;

On motion,

The rule was suspended, the bill read a second time.

On motion by Mr. Bird,

The bill was referred to a select committee consisting of Messrs. Bird, Elkins and Jones.

No. 29. A bill to amend an act entitled an act to incorporate the Ohio and Mississippi Railroad Company, passed February 14th, 1848;

Was read a first time,

On motion,

The rule was suspended, the bill read a second time.

On motion,

It was then referred to a select committee consisting of Messrs. Thorn, Goodwin, Graff, Williamson, and Clark.

No. 38. A bill to legalize the election of the Treasurer of Madison county;

No. 43. An act relative to the Jeffersonville Association;

No. 13. A bill to amend sections 456 and 457, of chapter 30, article 17, of the Revised Statutes of 1843, as to renting and leasing of real estate by executors, administrators and guardians;

No. 54. A joint resolution, relative to the claim of Col. Francis Vigo, late citizen of Knox county, Indiana;

No. 57. A bill to pay counsel in certain cases;

Were read a first time and passed to a second reading.

#### SENATE BILLS ON SECOND READING.

No. 3. A bill to repeal section 1 of an act approved January 19, 1850, of an act entitled an act to amend an act entitled an act to incorporate the city of Indianapolis, approved May 27, 1848;

No. 4. A bill to amend an act entitled an act to incorporate the Richmond and Miami Railroad Company, approved January 19, 1846;

Were each read a second time and ordered to be engrossed.

The following message from his Excellency the Governor, was taken up:

*To the Senate of Indiana:*

GENTLEMEN—The accompanying bill, No. 212, an act for the relief of certain persons therein named, in Warren county, was passed at the last session of the General Assembly, but not having been presented to me until the last two days before the final adjournment, the same is now returned as provided by the Constitution, with a mere statement of the reasons why I withhold my signature.

1st. The School Fund that is attempted to be released by this bill, (the sum of about \$2500, as I am informed,) belongs to the people of Warren county; and the people of said county, or their agents, have the sole right to release or discharge the same.

2d. That the principle of saying by an act of the Legislature that no court in this State shall take jurisdiction of such a case, or such a suit therein named, is a violation of a clear vested right, according to the letter and spirit of the decision of the cause of Gautly's lessee v. Ewing, U. S. Supreme Court Reports, 3d Howard, p. 717.

According to the doctrine held in this cause, the Legislature has no power, "under the disguise of regulating the remedy, to defeat an obligation or contract."

In the case under consideration, not only is the remedy attempted to be regulated, but it is entirely swept away; the debt not only released and discharged, but all the courts of the county are prohibited from taking jurisdiction of the cause. The only wonder is, that there is not also provided a penalty upon the judge or court who would dare to enforce the rights of the children of Warren county to this their own necessary fund given them by the munificence of the General Government.

3d. If this system is once adopted, we shall have numerous *ex parte* applications to take away the jurisdiction of courts in actions against the securities of Sheriffs, Treasurers, &c., the practical of which will be

4th. To make the Legislature a Court of Appeals to try and determine what actions shall be brought, against whom, who shall pay security debts, and who shall not.

5th. The tendency of such legislation is well calculated to make unsafe and insecure the rights of the citizen. In this way their rights are decided in their absence, and, consequently, the man who is involved in the greatest amount of security debts will devote his time in the lobbies of our Legislature, which by this course will become the place of management, deciding, in this *ex parte* manner, past rights and duties, in the place of making laws for the government of the people.

For these reasons merely stated, your attention is again invited to a reconsideration of this bill.

JOSEPH A. WRIGHT.

December 30, 1850.

The enrolled bill of the Senate accompanying the foregoing message, passed by the Legislature at its last session, and returned with the Governor's objections thereto, to the Senate at its present session, was reconsidered by the House.

No. 212. An act for the relief of certain persons therein named, in Warren county.

The question being, shall the bill pass, the objections of the Governor to the contrary notwithstanding?

Mr. Marvin moved that the House adjourn.

Which motion did not prevail.

The question was then put on the passage of the bill, and,

*Those who voted in the affirmative, were,*

Messrs. Benson, Blue, Brown of Shelby, Bulla, Campbell, Caylor, Chapman, Clark, Conner, Cowan, Crim, Davis of Scott, Donaldson, Elkins, Fleece, Goodman, Goodwin, Graff, Hamilton, Hammond, Harris, Haywood, Hubbard, Humphreys, Hutchinson, Isom, Jordan, Lank, Lawrence, Marquess, Marshall, McClelland, McKim, Mercer, Millikan, Morrow, Pancake, Peckenpaugh, Phillips, Pratt, Reynolds, Robbins, Simler, Stone, Swihart of Huntington, Thompson of Carroll, Thompson of Delaware, Usher, Watt, Willard, Wilson, and Mr. Speaker—52.

*Those who voted in the negative were,*

Messrs. Armstrong, Bird, Bradley, Brown of Pike, Carr, Coburn, Cox, Crawford, Davis of Dubois, Edwards, Essex, Franklin, Gentry, Hall, Hicks, Hosbrook, Jackson, Johnston, Lewis, Lindsey, Marvin, McKim, Moore, Morgan, Nelson, Painter, Patterson of Marshall, Patterson of Tippecanoe, Rice, Riley, Ross, Shook, Shull, Stayner, Schwartz, Swihart of Wabash, Thorn, Walls, Watson, Watts, Williamson, Withers, and Wittenmeyer—44.

So the bill passed, the objections of the Governor to the contrary notwithstanding.

Ordered that the Clerk inform the Senate thereof, and return the bill to the Senate where it originated.

On motion by Mr. Johnston,

Leave was granted to withdraw from the files of the House, bill of the Senate, No. 136, laid on the table at last session.

On motion by Mr. McClelland,

The House adjourned, to meet at two o'clock, P. M.

2 o'clock, P. M.

House met.

## SENATE BILLS ON SECOND READING.

No. 6. A bill for the relief of Mary Clark, to enable her to convey real estate;

Was read a second time.

On motion by Mr. Pratt,

Was referred to the committee on the Judiciary.

No. 11. A bill to authorize the extension of the Newcastle and Richmond railroad;

Was read a second time.

On motion by Mr. Donaldson,

Was referred to the committee on Corporations.

No. 21. A bill to amend an act entitled an act to incorporate the town of Patriot, in Switzerland county, and to legalize the action of the Collector of said town;

Was read a second time and ordered to a third reading.

No. 24. A bill to abolish the office of School Commissioner of the county of Morgan.

Mr. Hammond offered the following amendment:

SEC. 2. Said Auditor and Treasurer to be governed in all respects, in the discharge of the duties herein conferred upon them by the laws now in force governing the School Commissioner of said county.

SEC. 3. This act to be in force and take effect from and after the 15th day of March, 1851. And it is hereby made the duty of the Secretary of State to transmit, without delay, a certified copy of this act to the Auditor of said county.

SEC. 4. All laws contravening the provisions of this act, be, and the same are hereby repealed.

Which was adopted.

When,

On motion,

The rules were suspended and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 27. A bill to increase the per diem allowance of the Probate Judges of the counties of Union, Fayette, Rush, and Hendricks;

Which was read a second time.

Mr. Wilson offered the following amendment:

Amend by adding after the word "Hendricks," in section 1, as follows: "Sullivan," and at the end of said section, as follows:

And that in said county of Sullivan each term of the Probate



Court shall extend and be continued for two weeks, if the business thereof require it.

Which amendment was adopted.

Mr. Hosbrook moved to amend by adding "Marion county."

Which amendment was adopted.

The amendments were then ordered to be engrossed, and the bill ordered to a third reading.

No. 31. A bill to change the name of Nancy Ann Kelso, of Dubois county, to Nancy Ann McMahan.

No. 33. A bill to legalize the assessment of taxes for school purposes in district No. 7, in township No. 33, north of range - east, in DeKalb county;

Were each read a second time and ordered to a third reading.

#### HOUSE BILLS ON SECOND READING.

No. 62. A bill to abolish the office of Superintendent of the work on the State Prison, and for other purposes;

Was read a second time and ordered to be engrossed.

No. 63. A bill relative to the purchase of books, made by the Governor, for the use of the convicts in the State Prison, and for other purposes;

Was read a second time.

On motion by Mr. Watts,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 64. A bill to enable the inhabitants of school district No. 8, in Congressional township No. 36, north of range 3 west, in the county of Laporte, to levy a tax sufficient to build a school house;

Was read a second time and ordered to be engrossed.

No. 65. A joint resolution on the subject of appropriating money for the erection of a public building;

Was read a second time.

On motion by Mr. Coburn,

Was referred to the committee on the Judiciary.

No. 66. A bill for the benefit of common schools in Boone county.

No. 68. A bill to repeal an act therein named;

Were each read a second time and ordered to be engrossed.

No. 69. A bill to reduce the fees of the Recorder of the county of Brown;

Was read a second time.

Mr. Watson moved to amend by inserting "which money shall be paid in advance."

Which motion prevailed, and the bill as amended, was then ordered to be engrossed.

No. 71. A bill to amend an act entitled "an act to incorporate the Western Plank Road Company," approved January 14, 1850.

No. 72. A bill to amend section 27, chapter 7, of the Revised Statutes of 1843, so far as relates to the county of Greene.

No. 73. A bill to amend an act entitled "an act to incorporate the White County Monticello Bridge Company," approved January 15, 1850.

No. 75. A bill to repeal an act therein named, so far as the same relates to the counties of Parke and Shelby.

Were severally read a first time and ordered to be engrossed.

No. 76. A bill to vacate an alley in the town of Bloomington; Was read a second time.

On motion by Mr. Gentry,

The bill was referred to the committee on the Judiciary.

#### HOUSE BILLS ON THIRD READING.

No. 50. A bill to repeal an act entitled an act to incorporate the LaGrange Phalanx, approved January 13th, 1845;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 51. A joint resolution recommending Congress to establish a line of steamers to aid in colonization;

Was read a third time,

On motion by Mr. Chapman,

The joint resolution was laid on the table.

No. 52. A bill to amend an act regulating the jurisdiction and duties of justices of the peace in the county of Dearborn;

Was read a third time,

On motion by Mr. Clark,

The bill was referred to a select committee consisting of Messrs. Clark, Shook, and Armstrong, with the following instructions:

Strike out the words "or where the defendant may be found," and insert "or if the defendant is a non-resident of said county he shall be required to answer in the township of said county in which he may be found, or in which the cause of action accrued."

No. 55. A bill to amend the act entitled an act to reduce the law incorporating the city of Madison, and the several acts amendatory thereto into one act, and to amend the same, approved Feb. 14th, 1848;

Was read a third time,

On motion by Mr. Chapman,

The bill was laid on the table.

No. 82. A bill to amend section 13 of an act to increase and extend the benefits of common schools in the county of Noble, and for other purposes;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof:

HOUSE BILLS ON SECOND READING.

No. 90. A bill to enable the qualified voters of school district No. 7, township 36, range 3 west, in Laporte county, to levy a tax for the purpose of building a school House;

Was read a second time,

On motion by Mr. Millikan,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 77. A bill to vacate the town of Charleston, in Huntington county;

Was read a second time and ordered to be engrossed.

No. 85. A bill for the relief of township clerks, in the county of Posey;

Was read a second time,

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 86. A bill authorizing Cyrus Taber and Allen Hamilton to build a mill-dam across the Wabash river, in Cass county;

Was read a second time,

On motion,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Davis of Scott,

Messrs. Bradley and Millikan were added to the select committee on Swamp lands.

On motion by Mr. Davis of Scott,

The House adjourned to meet to-morrow morning, 9 o'clock.

SATURDAY MORNING, January 11, 1851.

The House met.

The Journal of the preceding day was read and adopted.

A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representa-

tives that the Senate has passed the following engrossed bills of the House, without amendment :

No. 22. An act to locate a state road in the counties of Kosciusko and Wabash.

No. 23. An act entitled an act authorizing the commissioners of Fountain county to vacate a certain street in the town of Rob Roy, Fountain county.

No. 25. An act to open an alley in the town of Perryville, in the county of Vermillion.

No. 26. An act to revive the 61st section of an act entitled an act to establish certain state roads therein named, and for other purposes, approved February 18, 1839.

No. 27. An act to repeal an act entitled an act relative to overseers of the poor, approved January 15, 1844, so far as relates to the county of Clay.

No. 85. An act to provide for the return of the vote on the school law to the office of the Secretary of State.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House, with one amendment each :

No. 3. An act for the relief of John Henry, Lewis Gerke, and Frederick Myers.

No. 29. An act to repeal an act therein named.

In which amendments the concurrence of the House is respectfully requested.

#### PETITIONS, MEMORIALS, &c., PRESENTED.

By Mr. Coburn ;

The petition of the lessees of the northern division of the Central Canal, in regard to its water power, &c ;

Which,

On motion,

Was referred to the select committee of the northern division of the Central Canal.

By Mr. Clark ;

The petition of sundry citizens of the counties of Ripley and Dearborn, requesting the grant of a charter for the building of a turnpike or plank road from Sparta village, in Dearborn county, to Napoleon, in Ripley county ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Clark, Shook, and Armstrong.

By Mr. Hutchinson;

The petition of Henry F. Homby, James Laughlin, *et al.*, relative to the boundaries of Lamasco City, in Vanderburgh county;

Which,

On motion,

Was referred to the committee on Corporations.

By Mr. Lank;

The memorial of the Ladies of Henry county on the subject of legalized liquor traffic;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Hutchinson;

The memorial of Charlotte Erskine, and other ladies of Vanderburgh county, on the subject of legalized liquor traffic;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Moore;

The petition of John L. Worthington, John Carson *et al.* in regard to a State road in the counties of Decatur and Bartholomew, &c.

Which,

On motion,

Was referred to a select committee consisting of Messrs. Crawford, Essex and Moore.

By Mr. Lank;

The petition of sundry citizens of the counties of Delaware and Randolph, in regard to certain lands, heretofore sold belonging to a certain township in Monroe county, asking the time for the payment of the same to be extended, to the purchasers thereof;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Lank, Thompson and Jordan.

By Mr. Jackson;

The petition of sundry citizens of the counties of Hamilton and Howard, praying for a road, from Strawtown in Hamilton county, to Jerome in Howard county;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Jackson, McClelland and Conner.

## REPORTS FROM COMMITTEES.

Mr. Donaldson from the committee on Corporations made the following report:

MR. SPEAKER:

The committee on Corporations to whom was referred bill of the Senate No. 11, entitled, "an act to authorize the extension of the Newcastle and Richmond Railroad," has had the same under consideration, and directed me to report the same back to the House without amendment, and recommend its passage.

No. 11. A bill to authorize the extension of the New Castle and Richmond Railroad.

On motion by Mr. Hubbard,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Bradley, chairman of the committee on Corporations made the following report:

MR. SPEAKER:

The committee on Corporations to whom was referred House bill No. 24, "a bill to amend the charter of the Evansville and Illinois Railroad Company," have had the same under consideration and have instructed me to report the same back to the House without amendment and respectfully to recommend its passage.

Mr. Brown of Pike moved to recommit the bill to a select committee of seven;

Which motion did not prevail.

Mr. Humphreys moved to suspend the rule and read the bill a third time.

Mr. Hammond moved to lay the bill upon the table;

Which motion did not prevail.

Mr. Goodwin moved to refer the bill to a select committee with the following instructions:

"Make Washington in Daviess county a point;"

Which motion did not prevail.

The question then recurring on the motion to suspend the rule;

Was decided in the negative.

The bill was then ordered to be engrossed.

The order of business being suspended,

On motion by Mr. Crawford,

*Resolved*, That the Senate be invited to attend, in the Hall of the

House of Representatives, instantler, to go into the election of United State's Senator.

The Senate came into the Hall of the House, when both Houses proceeded, in joint convention, by a *viva voce* vote to the election of a United State's Senator for the State of Indiana, to fill the vacancy which will occur by the expiration of the term of service of the present incumbent, Hon. Jesse D. Bright.

*Those who voted for Jesse D. Bright were,*

Messrs. Adams, Alexander, Allen, Athon, Berry, Brugh, Buckles, Cravens, Dawson, Delevan, Eddy, English, Garver, Goodman, Graham, Hanna, Hardin, Henton, Hunt, James, Kinnard, Logan, Mickel, Miller, Millikan, Niblack, Reid, Sleeth, Turman, Walker, Winstandley and Woods, of the Senate, and

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Campbell, Carr, Caylor, Chapman, Cox, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Elkins, Essex, Franklin, Gentry, Goodwin, Graff, Hall, Hamilton, Harris, Harrison, Hicks, Hosbrook, Humphreys, Hutchinson, Jackson, Lewis, Lindsey, Marquess, Marvin, McClelland, McKim, McMakin, Mercer, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Phillips, Rice, Riley, Ross, Shook, Shull, Simler, Stayner, Schwartz, Swihart of Wabash, Thorn, Walls, Watson, Watt, Watts, Willard, Williamson, Wilson, Withers, Wittenmeyer, and Mr. Speaker—99.

*Those who voted for Charles Dewey were,*

Messrs. Day, Defrees, Dole, Dunn, Hamrick, Harvey, Herod, Holloway, Knowlton, Marshall, McCarty, Montgomery, Odell, Porter, and Teegarden, of the Senate, and,

Messrs. Bulla, Clark, Coburn, Conner, Cowan, Edwards, Fleece, Goodman, Hammond, Haywood, Hubbard, Isom, Johnston, Jones, Jordan, Lank, Lawrence, Marshall, McCarty, Millikan, Moore, Morrow, Peckenpaugh, Pratt, Reynolds, Robbins, Stone, Swihart of Huntington, Thompson of Carroll, Thompson of Delaware, and Usher, of the House of Representatives—46.

Jesse D. Bright, having received a majority of all the votes given, was declared, by the President of the Convention, duly elected United States' Senator from the State of Indiana, to serve as such, for the term of six years from and after the 4th day of March, 1851, inclusive.

The President then adjourned the Convention.

The Senate then retired to their Chamber.

Mr. Coburn, chairman of the committee on Engrossed Bills, made the following report:

MR. SPEAKER:

The committee on Engrossed Bills report that bills numbered 50, 51, 55, and 57 are correctly engrossed.

On motion by Mr. Hammond,  
The House adjourned, to meet at two o'clock, P. M.

2 o'clock, P. M.

The House met.

On motion by Mr. Hicks,  
Leave of absence was granted the committee on Benevolent and Scientific Institutions.

A message from the Senate by Mr. Emerson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution, to-wit:

*Resolved*, That the Senate will, the House concurring, proceed to the election of a Trustee of the Wabash and Erie Canal, on the part of the State, on Tuesday next, at 10 o'clock, A. M.

In which the concurrence of the House of Representatives is respectfully requested.

On motion by Mr. Brown of Shelby,  
The foregoing message from the Senate was taken up and considered.

The question being on concurring in the resolution of the Senate, contained in said message,

Was decided in the affirmative.

On motion,

Mr. Goodwin was appointed *pro tem.* on the committee on Benevolent and Scientific Institutions, in the place of Mr. O'Neal.

On motion by Mr. Coburn,  
The order of business was suspended.

Mr. Coburn introduced

No. 98. A bill relative to the fire companies of Indianapolis;  
Which was read a first time and passed to a second reading.



The order of business being suspended,  
On motion by Mr. Phillips,

*Resolved*, That the committee on the Swamp Lands be requested to inquire into the expediency of setting apart the proceeds of the sale of those lands as a permanent fund for the support of common schools throughout the State.

#### ORDERS OF THE DAY.

#### *Senate Bills on Third Reading.*

No. 3. A bill to repeal section 1 of an an act approved January 19, 1850, of an act entitled an act to amend an act entitled an act to incorporate the city of Indianapolis, approved May 27, 1848 ;

No. 4. A bill to amend an act entitled an act to incorporate the Richmond and Miami Railroad Company, approved January 19th, 1846 ;

No. 21. A bill to amend an act entitled an act to incorporate the town of Patriot, in Switzerland county, and to legalize the action of the collector of said town ;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 27. A bill to increase the per diem allowance of the Probate Judges of the counties of Union, Fayette, Rush and Hendricks ;

Was read a third time.

Mr. Graff moved to refer the bill to a select committee of three, with instructions to insert in the proper place the county of Gibson.

Mr. Usher moved to refer the bill to the committee on the Judiciary, with the following instructions :

Inquire into the expediency of making the law general.

Which motion did not prevail.

The question recurring on Mr. Graff's motion to refer to a select committee with instructions,

Was decided in the affirmative.

Messrs. Graff, Hutchinson, and Lewis were appointed said committee.

No. 31. A bill to change the name of Nancy Ann Kelso, of Dubois county, to Nancy Ann McMahan.

No. 33. A bill to legalize the assessment of taxes for school purposes in district No. 7, in township 33, north of range - east, in DeKalb county ;

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

## HOUSE BILLS ON THIRD READING.

No. 32. A bill to repeal section 148, chapter 5, Revised Statutes of 1843.

No. 62. A bill to abolish the office of Superintendent of the work of the State Prison, and for other purposes.

No. 64. A bill to enable the inhabitants of school district No. 8, in Congressional township 36, north of range 3 west, in Laporte county, to levy a tax sufficient to build a school house.

No. 66. An act for the benefit of common schools in Boone county.

No. 68. A bill to repeal an act therein named.

No. 69. A bill to reduce the fees of the Recorder of the county of Brown.

No. 71. A bill to amend an act entitled "an act to incorporate the Western Plank Road Company."

No. 72. A bill to amend section 27, chapter 7, of the Revised Statutes of 1843, so far as relates to the county of Greene.

No. 73. A bill to amend an act entitled "an act to incorporate the White County Monticello Bridge Company," approved January 15, 1850.

No. 75. A bill to repeal an act therein named, so far as relates to the counties of Parke and Shelby.

No. 77. A bill to vacate the town of Charleston, in Huntington county;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, viz:

No. 42. An act to amend an act entitled an act to incorporate the Junction Railroad Company, passed 8th February, 1848.

No. 47. An act to incorporate the Ayres University.

No. 52. An act to incorporate the Sparta and Napoleon Turnpike Company.

No. 48. An act to amend the charter of the Indianapolis and Bellefontaine Railroad Company.

No. 57. An act to vacate the streets and alleys in the town of Fairview, Montgomery county.

No. 59. An act to amend the act to incorporate the Trustees of the Indiana Asbury University, approved January 10, 1837.

No. 62. An act to amend section 29 of the act to incorporate the Fort Wayne and Columbia Plank Road Company.

In which the concurrence of the House is respectfully requested.

Mr. Conner moved to reconsider the vote on the passage of No. 48. A joint resolution on the subject of bounty lands granted to certain officers and soldiers who were engaged in the military service of the United States.

Which motion prevailed.

Mr. Dumont moved to recommit the joint resolution to the committee on Enrolled Bills, with instruction to amend it as follows:

*Provided, however,* That no objection is intended to be made to the modification of said law, so far as it applies to widows and minor children, if a just and equitable modification of said law as to them is deemed proper.

*And provided further,* That the object of this joint resolution is only intended to apply to the present action of Congress, and not to restrict their future action, if different action shall be found expedient after the law, as it now stands, has been tested.

*And be it further resolved,* That our Senators be instructed, and our Representatives requested to use their best efforts to procure a speedy execution of the act of Congress of the 28th of September, (so that those provided for thereby shall speedily realize the benefits thereof) by employing a sufficient force to accomplish the object.

On motion by Mr. Dumont,

The order of business was suspended.

Mr. Dumont introduced

No. 99. A bill to extend the provisions of the 56th section of chapter 38, of the Revised Code of 1843, so as to embrace within its provisions all persons entitled to pensions or bounty land, extra pay, or arrears of pay, and for other persons.

Which was read a first time and passed to a second reading.

The order of business being suspended,

On motion by Mr. Watts,

*Resolved,* That the Judiciary committee be requested to inquire into the expediency of so amending an act giving a lien to certain mechanics therein named, so as to extend like security to other mechanics, and report by bill or otherwise.

On motion,

The order of business was suspended.

Mr. Lindsey offered the following resolution:

*Resolved,* That the House will, if the Senate concur, go into the election of President Judge of the Sixth Judicial Circuit on Tuesday, the 14th of January, at 3 o'clock, P. M.

Mr. Watt moved to lay it upon the table.

Which motion did not prevail.

Mr. Conner moved to strike out Tuesday and insert Monday next. Which motion did not prevail.

The question being on the adoption of the resolution, was decided in the affirmative.

On motion,

The order of business was suspended.

Mr. Elkins introduced

No. 100. A bill requiring the Supervisors to settle with the Township Trustees in the county of Wells ;

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed.

By Mr. Withers ;

No. 101. A bill to amend an act entitled an act to incorporate certain turnpike companies therein named, approved January 29, 1839.

Which was read a first and second times, the rules being suspended therefor, and ordered to be engrossed.

On motion by Mr. Stayner,

The House adjourned to meet on Monday morning, 9 o'clock.

## MONDAY MORNING, January 13, 1851.

The House met.

The Journal of the preceding day was read and adopted.

A message from the Senate by Mr. Emerson, their Secretary ;

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House, without amendment:

No. 37. An act authorizing the Board of Commissioners of the county of Morgan to make additional allowance to the Auditor of said county.

No. 38. An act to repeal an act to restrict the Grand Jury in Franklin county in their sessions, approved January 15, 1850.

No. 67. An act to change the name of the town of Rochester, in Franklin county, to Cedar Grove.

A message from the Senate by Mr. Emerson their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bills thereof:

No. 9. An act authorizing the Probate Judge of Hamilton county to appoint an administrator on the estate of John S. Massey, deceased.

No. 56. An act locating a State road on the line dividing Wayne and Randolph counties.

In which the concurrence of the House is respectfully requested.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the engrossed amendment of the House to engrossed bill of the Senate

No. 24. An act to abolish the office of School Commissioner in the county of Morgan,

Without amendment.

#### PETITIONS, MEMORIALS, &C., PRESENTED.

By Mr. Pratt;

The temperance memorial of sundry citizens of Cass county, on the subject of temperance;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Lank;

The petition of Dempsy Linton and others, of Randolph county, requesting this honorable body to instruct the County Auditor to rent out lot No. 9, and to apply the amounts heretofore paid on lots Nos. 1, 8, and 9, in payment of said lot No. 9, in order to give the purchaser a credit on the balance of the money, the same as is now allowed by law on school lands;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Lank, Jordan, and Thompson of Delaware.

By Mr. Davis of Scott;

The petition of John Trulock, George W. Jennings *et al.*, of

Jackson and Scott counties, on the subject of adding certain territory to the county of Scott;

Which,

On motion by Mr. Hamilton,

Was laid upon the table.

By Mr. Pratt;

The petition of sundry citizens in the counties of Cass and Fulton, requesting a State road from Pleasant Grove, to Perrysburgh in Miami county, &c.;

Which,

On motion,

Was referred to a select committee of Messrs. Pratt, Thompson of Carroll, and Donaldson.

By Mr. Bradley;

The petition of sundry citizens of the counties of Pulaski, Starke and Laporte, requesting the passage of an act authorizing the location of a State road leading from Winamac, Pulaski county, to Michigan city;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Bradley, Patterson and Cowan.

By Mr. Lawrence;

The petition of sundry citizens of the county of Wayne, on the subject of distributing the school tax, and surplus revenue fund;

Which,

On motion,

Was referred to the committee on Education.

By Mr. Thompson of Delaware;

The memorial of the Ladies of Delaware county on the subject of Temperance;

Which,

On motion,

Was referred to the committee on Temperance.

#### REPORTS FROM COMMITTEES.

Mr. Pratt from a select committee made the following report:

MR. SPEAKER:

The select committee to whom was referred House bill No. 54, being a bill to further amend an act entitled "an act to incorporate the Michigan Road Company," approved January 13, 1845, and for other purposes, have had the same under consideration, and directed

me to report the same back to the House without amendment and to recommend the passage of the same.

The bill contained in the foregoing report was ordered to be engrossed.

Mr. Graff from a select committee made the following report:

MR. SPEAKER:

The select committee to whom was referred Senate bill No. 27, entitled, "an act to increase the per diem allowance of the Probate Judges of the counties of Union, Fayette, Rush, and Hendricks," with instructions to amend so as to include the county of Gibson within its provisions, have directed me to report the same back amended by adding "Gibson county," and to recommend its passage;

Which was concurred in, and the amendment to the bill was ordered to be engrossed.

Mr. Bird from a select committee made the following report:

MR. SPEAKER:

The select committee to whom was referred bill of the Senate No. 28, have had the same under consideration, and directed me to report the same back with one amendment, and when so amended, recommend its passage.

Amend section seven, as follows:

Insert after the word time "in case of any violation thereof."

Which was concurred in, and the amendment to the bill was ordered to be engrossed.

Mr. Clark from a select committee made the following report:

MR. SPEAKER:

The select committee to whom was referred House bill No. 52, in relation to an act regulating the jurisdiction and duties of Justices of the Peace in the county of Dearborn, have had the same under consideration and, have instructed me to report the same back with the following amendment and recommend its passage, to-wit:

To strike out the word, "or where the defendant may be found," and insert, "or if the defendant is a non-resident of said county, he shall be required to answer in the township in which he may be found or where the cause of action accrued;"

Which was concurred in, and the bill as amended was ordered to be engrossed.

Mr. Essex from a select committee made the following report :

MR. SPEAKER :

The select committee to whom was referred the petition of citizens of the counties of Bartholomew and Decatur accompanied with the affidavit of a person competent to testify, taken before a Justice of the Peace of the county of Bartholomew, stating :

That said petition contained the requisite number of signers possessing the proper qualifications, and that the notice required by law has been duly given, have instructed me to report the following bill and recommend its passage :

No. 102. A bill to locate a State road on the line dividing Bartholomew and Decatur counties ;

Which was read a first, second and third times, the rules being suspended therefor and passed.

Ordered that the Clerk inform the Senate thereof.

#### RESOLUTIONS.

Mr. Phillips offered the following resolution :

WHEREAS, The smoky condition of this Hall is not only very unpleasant, but as we believe, impairing the health and endangering the lives of members :

*Resolved therefore,* That the committee on the state of the Hall be instructed to have the place of the present stoves supplied with others that will convey the smoke from the Hall.

Mr. Edwards moved to amend by adding, "inquire into the expediency of."

The question being on the adoption of the resolution as amended, Was decided in the affirmative.

On motion by Mr. Bradley,

*Resolved,* That the State Printer be requested to furnish the House of Representatives, at as early a day as practicable, the copies of the Auditor's Report in relation to the enumeration of the adult white male inhabitants of the State, ordered to be printed for the use of the House.

#### JOINT RESOLUTIONS INTRODUCED.

No. 103. A preamble and joint resolution, relative to the Three Per Cent. Fund ;

Was read a first time and passed to a second reading.



## BILLS OF THE HOUSE INTRODUCED.

By Mr. Peckenpaugh;

No. 104. A bill to amend an act entitled an act changing the mode of doing business in the county of Crawford, approved January 18, 1850;

Which was read a first time and passed to a second reading.

By Mr. Hutchinson;

No. 105. A bill to exempt certain property belonging to the city of Evansville from taxation;

Which was read a first and second times, the rules being suspended therefor, and referred to a select committee consisting of Messrs. Hutchinson, Lewis and Graff.

By Mr. Ross;

No. 106. A bill to amend an act entitled an act to incorporate the Greensburgh and Brookville Turnpike Company, approved Jan. 15, 1849;

Which was read a first time and passed to a second reading.

By Mr. Williamson;

No. 107. A bill in relation to the election of Prosecuting Attorneys;

Which was read a first time and passed to a second reading.

By Mr. Ross;

No. 108. A bill for the relief of the Recorder of Franklin county.

Which was read a first time and passed to a second reading.

By Mr. Benson;

No. 109. A bill to vacate part of Water street, in the town of Williamsport, in the county of Warren, State of Indiana;

Was read a first, second, and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Dumont;

No. 110. A bill to amend article 4, of chapter 45, of the Revised Code of 1843, on the subject of partition;

Which was read a first and second times, the rule being suspended therefor, and referred to the committee on the Judiciary.

By Mr. Dumont;

No. 111. A bill amendatory of the act incorporating the townships of Dearborn county, so as to allow the Board of County Commissioners of said county to establish additional election precincts if they deem it expedient;

Which was read a first time and passed to a second reading.

By Mr. Gentry;

No. 112. A bill to regulate the time of holding courts in the Tenth Judicial Circuit;

Which was read a first time.

On motion by Mr. Franklin,

The rule was suspended, the bill was read a second time and referred to a select committee consisting of Messrs. Franklin, Gentry, Isom, Goodwin, Humphreys, Hammond and Watson.

The Speaker laid before the House the following communication from his Excellency the Governor:

HON. E. DUMONT,

*Speaker of the House of Representatives:*

You will please lay before the House of Representatives the inclosed report of the Visiter of the State Prison.

JOS. A. WRIGHT.

On motion by Mr. Clark,

The report of the Visiter of the State Prison was laid on the table and five hundred copies ordered to be printed.

The Speaker laid before the House the following communication from his Excellency the Governor:

HON. E. DUMONT,

*Speaker of the House of Representatives:*

You will please lay before the body over which you have the honor to preside, the enclosed communication from J. A. Underwood, of New York city, on the subject of some lost coupons.

JOS. A. WRIGHT.

NEW YORK, Jan. 4, 1851.

*To his Excellency,*

JOSEPH A. WRIGHT,

*Governor, &c.,*

SIR—I beg leave to transmit to your Excellency, at the instance of Col. May, the resident agent of your State, a memorial for an act relative to some lost coupons of the bonds of your State.

For my character and standing here I beg leave to refer you to the agent here, or the honorable Charles Butler, now in your city, who I trust will give you any information you may require. I have the honor to be,

Very respectfully,

Your ob't serv't,

J. A. UNDERWOOD.

*To the honorable, the General Assembly of the State of Indiana:*

The undersigned begs most respectfully to represent to your honorably body that he was the owner of eight Indiana State bonds,

known as 902, 2271, 2286, 2618, and 2274, of the Internal Improvement Indiana Sterling Bonds, which said bonds your memorialist heretofore rendered to the agent of the State of Indiana, in the city of New York, in exchange for stocks agreeable to the act of the General Assembly of said State, providing for the funded debt and the completion of the *Wabash and Erie Canal*, and subscribed and paid thereupon ten per cent. toward said completion.

And your memorialists further represent that one of the coupons of each of said bonds has been lost, and cannot be surrendered to said State or the Commissary thereof, the said coupons being for twenty dollars each, and the coupons so lost amounting to the sum of two hundred dollars.

The undersigned most respectfully asks of your honorable body that an act may be passed authorizing the agent of said State to fund or pay the said coupons, so lost, upon the execution of a *bond of indemnity of the said State*, to save them harmless against all claims, by any other person or persons, on account of said coupons so lost, or either of them, and also against all costs and expenses by reason of such claim, said bond to be made *satisfactory* to the said agent of said State, now residing in the city of New York. As in duty bound will ever pray.

H. HOLLIS HUNNEWELL,

By J. A. UNDERWOOD, *Attorney*.

New York, January 4, 1851.

On motion by Mr. Davis of Scott,

The foregoing communication and memorial were referred to the committee on Claims.

#### ORDERS OF THE DAY.

#### *Senate Bills on first reading.*

No. 9. A bill authorizing the probate judge of Hamilton county to appoint an administrator on the estate of John S. Massey, deceased.

No. 56. A bill to locate a State road on the line dividing Wayne and Randolph counties.

Were each read a first time and passed to a second reading.

The following message from the Senate was taken up:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House with one amendment each.

No. 3. An act for the relief of John Henry Lewis Gerke, and Frederick Myers.

No. 29. A bill to repeal an act therein named.

The question being on concurring in the amendment of the Senate to bill No. 3, contained in the foregoing message,

Was decided in the affirmative.

The question being then on concurring in the amendment of the Senate to bill No. 29, contained in the foregoing message,

On motion by Mr. Patterson of Tippecanoe,

The bill and amendment was laid on the table.

No. 42. A bill to amend and act entitled an act to incorporate the Junction Railroad Company, passed February 8, 1848;

Was read a first time,

On motion,

The rule was suspended, and the bill read a second time,

When,

On motion by Mr. Watt,

Was referred to the committee on Corporations.

No. 47. A bill to incorporate the Ayers University;

Was read a first, second, and third times, the rules being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

No. 48. A bill to amend the charter of the Indianapolis and Bellefontaine Railroad Company;

Was read a first time and passed to a second reading.

No. 52. A bill to incorporate the Sparta and Napoleon Turnpike Company;

Was read a first time,

On motion,

The rule was suspended, and the bill read a second time and referred to a select committee consisting of Messrs. Clark, Ross, and Shook.

No. 57. A bill to vacate the streets and alleys in the town of Fairview, Montgomery county;

Objection being made to the bill by Mr. Marquess,

The question then was, Shall the bill be rejected?

Which was decided in the negative.

The bill was read a first time and passed to a second reading.

No. 59. A bill to amend an act to incorporate the trustees of the Indiana Asbury University, approved January 10, 1837;

Was read a first, second, and third times, the rules being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

No. 62. A bill to amend section 29 of the act to incorporate the Fort Wayne and Columbia Plank Road Company;

Was read a first time and passed to a second reading.

Mr. Coburn, chairman of the committee on Engrossed Bills, made the following report :

MR. SPEAKER:

The committee on Engrossed Bills report that bills numbered 32, 75, 73, 77, 101, 57, 68, 71, 69, 62, 72, 66, and 64, are correctly engrossed.

#### HOUSE BILLS ON SECOND READING.

No. 94. A bill in relation to the service of writs of summons in actions at law and subpœnas in chancery ;

Was read a second time and ordered to be engrossed.

No. 94. A bill authorizing the location of a State road from Hartford, in Blackford county, through New Cumberland, in Grant county, to Kokomo, in Howard county ;

Was read a second time and ordered to be engrossed.

No. 96. A bill to amend the 65th and 66th sections of the 38th chapter of Revised Statutes ;

Was read a second time and,

On motion by Mr. Pratt,

Was referred to the committee on the Judiciary.

No. 97. A bill relative to the practice of law ;

Was read a second time and,

On motion by Mr. Pratt,

Was referred to the committee on the Judiciary.

#### SENATE BILLS ON SECOND READING.

No. 2. A bill to change the name and extend the corporate privileges of the Pery Cotton Mill, at Cannelton.

No. 7. A bill to incorporate the Levee and Draining Company ;

Were each read a second time and ordered to a third reading.

No. 13. A bill to amend sections 456 and 457, of chapter 30, article 17, of the Revised Statutes of 1843, as to renting and leasing real estate by Executors, Administrators, and Guardians ;

Was read a second time and,

On motion by Mr. Phillips,

Was referred to the committee on the Judiciary.

No. 15. A bill for the relief of Joseph Allen, of Crawford county ;

Was read a second time and,

On motion by Mr. Peckenpaugh,

Was referred to a select committee of three, with instructions to insert the names of Elias Grant and Joseph Mathers.

Messrs. Peckenpaugh, Davis of Scott, and Rice, were appointed said committee.

No. 25. A bill to authorize the Auditor of Harrison county to make a deed therein named.

No. 26. A bill to amend an act entitled an act to incorporate the Cannelton Savings Institution, approved January 18, 1850;

Were each read a second time and ordered to a third reading.

No. 30. A bill relative to the Clark County Central Plank Road Company;

Was read a second time.

On motion by Mr. Willard,

Was referred to a select committee consisting of Messrs. Willard, Schwartz, and Carr.

On motion by Mr. Franklin,

Bill of the Senate

No. 28. A bill to incorporate the Ohio and Indiana Railroad Company,

Was taken from the table.

On motion,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 32. A bill to amend an act entitled an act to incorporate the Hamilton Manufacturing Company.

No. 43. A bill relative to the Jeffersonville Association.

No. 45. A bill declaring a misprint in an act, approved January 16, 1849.

No. 51. A bill to increase the per diem allowance of the Probate Judges of the Probate Court of Montgomery and Madison counties;

Were severally read a second time and ordered to a third reading.

No. 54. A joint resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county, Indiana;

Was read a second time.

On motion by Mr. Chapman,

Referred to the committee on the Judiciary.

No. 57. A bill to pay counsel in certain cases;

Was read a second time and ordered to a third reading.

#### HOUSE BILLS ON THIRD READING.

No. 24. A bill to amend the charter of the Evansville and Illinois Railroad Company;

Was read a third time.

Mr. Goodwin moved to recommit the bill to a select committee of five, with the following instructions: "To make Daviess county a point."

Mr. Brown of Pike, moved to amend the instructions.

Mr. Graff moved to lay the instructions and amendments on the table.

Which motion prevailed.

Mr. Patterson of Tippecanoe, moved to refer it to the committee on Corporations with the following instructions:

Add in the proper place,

*Provided always*, That the stockholders shall be individually liable for all the debts contracted by said company."

Which motion did not prevail.

The question then being, shall the bill pass?

Was decided in the affirmative.

Ordered that the Clerk inform the Senate thereof.

No. 100. A bill requiring the Supervisors to settle with the township trustees in the county of Wells.

No. 101. A bill to amend an act entitled an act to incorporate certain Turnpike Companies therein named," approved Jan. 29, 1839;

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

#### HOUSE BILLS ON SECOND READING.

No. 98. A bill relative to the Fire Companies of Indianapolis;

Was read a second time,

When,

On motion by Mr. Chapman,

It was was referred to the committee on the Judiciary with instructions "to enquire into the expediency of making the law general."

No. 99. A bill to extend the provisions of the 36th section of chapter 38, of the Revised Code of 1843, so as to embrace within its provisions all persons entitled to pensions or bounty land, extra pay or arrears of pay, and for other purposes;

Was read a second time and ordered to be engrossed.

On motion by Mr. Riley,

The House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met.

On motion by Mr. Watts,

The order of business was suspended.

Mr. Watts introduced bill,  
No. 113. A bill to repeal an act entitled, "an act to amend the road law in Jefferson county;"

Which was read a first time and passed to a second reading.

The order of business being suspended,

Mr. Edwards made the following report from a select committee :

MR. SPEAKER :

The select committee to which was referred Senate bill No. 39, entitled, "an act to amend an act entitled an act to incorporate the Terre Haute and Richmond Railroad Company," approved January 26, 1847, and the several acts amendatory of said act, have had the same under consideration, and directed me to report it back to the House, without amendment and recommend its passage ;

On motion,

The rules were suspended the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Usher,

The rule was suspended.

Mr. Usher presented,

The memorial of the ladies and gentlemen of Vigo county on the subject of legalized liquor traffic ;

Which,

On motion,

Was referred to the committee on Temperance.

On motion by Mr. Coburn,

Messrs. Pratt and Bradley were added to the committee on the Northern Division of the Central Canal.

On motion by Mr. Pratt,

The order of business was suspended.

Mr. Pratt introduced,

No. 114. A bill to regulate the practice of law in the twelfth Judicial Circuit ;

Which was read a first time,

On motion,

The rule was suspended, the bill read a second time, and referred to a select committee consisting of Messrs. Pratt, Bird, Elkins and Jones.

On motion,

The order of business was suspended.

Mr. Coburn introduced,

No. 115. A bill to regulate the issuing of Executions and fee bills in the several courts in the county of Marion, where judgments have stood three years from date of the rendition thereof without execution being issued thereon, and where costs have stood three



years from the taxation thereof, without fee bills having issued for the collection of the same;

Which was read a first time,

On motion,

The rule was suspended, the bill read a second time and referred to the committee on the Judiciary.

On motion,

The order of business was suspended.

Mr. Thompson of Carroll from a select committee made the following report:

**MR. SPEAKER :**

The select committee to whom was referred, the petition of sundry citizens of Carroll county, praying for the extension of the time of holding Probate courts in said county, have had the same under consideration and authorized me to report the following bill and recommend its passage.

No. 116. A bill extending the time of holding the Probate Court, in the county of Carroll;

Which was read a first, second and third times, the rule being suspended therefor and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

Mr. Humphreys introduced

No. 117. A bill to reduce the fees of the Recorder of Greene county;

Which was read a first time and passed to a second reading.

On motion by Mr. Edwards,

Enrolled bill of the House of Representatives,

No. 330. A bill for the relief of Ann Blythestone, of Allen county;

Was taken from the table and reconsidered.

Accompanying said bill was the following message from his Excellency the Governor:

*To the House of Representatives :*

GENTLEMEN—The accompanying bill, entitled an act for the relief of Ann Blythestone of Allen county, No. 330, was passed at the last session of the General Assembly, but not having been presented to me until within the last two days before the final adjournment, the same is now returned as provided by the Constitution, with my reasons briefly stated for withholding my signature.

The principle involved in this bill is, that of referring claims upon the Treasury to the final adjustment of persons wholly irresponsible,

to tribunals specially constituted, thereby involving additional expenses, &c.

The Legislature itself possesses the power to decide all such claims. It has the right to send for persons and papers; to appoint the appropriate committees to investigate the claims of our citizens against the State. If such claims are just, they should be allowed and paid. It is far better to appropriate the money direct, than in this indirect manner to cripple the treasury, by subjecting it to demands uncertain in amount, and frequently unjust in their character.

If this principle of referring claims upon the treasury to self-constituted and wholly irresponsible tribunals for adjustment is adhered to, we shall lose sight of the doctrine of responsibility of representatives to their constituents in the appropriations of the public money.

The correct rule is, that the members of each session are, and should be, responsible for their own acts, and that no money or claims should be appropriated or allowed, either directly or indirectly, without making, at the same time, provision for their payment by taxation or otherwise. Do not refer a matter of dollars and cents against the State to any tribunal for investigation. It is your province to decide it yourselves.

The people have a clear right to ask their representatives to vote directly upon all appropriations of money from the public treasury. The State has suffered greatly when the Legislature has been persuaded to create special tribunals to settle long standing or rejected claims.

This claim may be a meritorious one. If you should believe it just and proper, appropriate the amount directly, and I am sure you will hear no objections from me. It is the principle involved that induces me, in accordance with the rule that I have laid down for my government in my first address to the Legislature, to return this bill and to ask at your hands a reconsideration of the same.

JOSEPH A. WRIGHT.

December 31, 1850.

On motion by Mr. Patterson of Tippecanoe,  
A call of the House was ordered.

On motion by Mr. Millikan,  
Leave of absence was granted Mr. Harrison.

On motion by Mr. Humphreys,  
Leave of absence was granted Mr. Houghman.

On motion by Mr. Hutchinson,  
Leave of absence was granted Mr. Lewis.

On motion by Mr. Patterson,  
Leave of absence was granted Mr. O'Neal.

On motion by Mr. Shull,  
Leave of absence was granted Mr. Swihart of Wabash.

On motion by Mr. Hammond,  
 Leave of absence was granted Mr. McCarty.  
 After spending some time in the call,

On motion,  
 A further call of the House was dispensed with.

The vote on the passage of the bill was reconsidered, and,

The question being, shall the bill pass, the objections of his Excellency the Governor to the contrary notwithstanding?

*Those who voted in the affirmative were,*

Mesrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Shelby, Bulla, Campbell, Caylor, Chapman, Clark, Conner, Cowan, Cox, Crawford, Crim, Davis of Dubois, Donaldson, Elkins, Essex, Fleece, Goodman, Goodwin, Graff, Hamilton, Hammond, Harris, Haywood, Hubbard, Hutchinson, Johnston, Jones, Jordan, Lank, Lawrence, Lewis, Lindsey, Marshall, McMakin, Millikan, Moore, Morrow, Pancake, Patterson of Marshall, Phillips, Robbins, Shull, Simler, Stone, Schwartz, Swihart of Huntington, Thompson of Carroll, Thompson of Delaware, Watt, Watts, Willard, Withers, and Mr. Speaker—58.

*Those who voted in the negative were,*

Messrs. Brown of Pike, Carr, Coburn, Davis of Scott, Edwards, Franklin, Gentry, Hall, Hicks, Hosbrook, Humphreys, Isom, Jackson, Marquess, Marvin, McCarty, McClelland, McKim, Morgan, Nelson, Painter, Patterson of Tippecanoe, Peckenpough, Rice, Riley, Shook, Stayner, Thorn, Usher, Walls, Watson, Williamson, Wilson, and Wittenmeyer—34.

So the bill passed, the objections of the Governor to the contrary notwithstanding.

Ordered that the Clerk inform the Senate thereof, and carry the bill and the accompanying message to the Senate for its consideration.

A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the resolution of the House of Representatives, providing for the election of a President Judge of the Sixth Judicial Circuit on Tuesday, the 14th inst., at 3 o'clock, P. M.

A message from the Senate, by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representa-

tives that the Senate have concurred in the engrossed amendment of the House to engrossed bill of the Senate

No. 28. An act to incorporate the Ohio and Indiana Railroad Company.

On motion,

The order of business was suspended.

Mr. Shull introduced,

No. 118. A bill describing the boundaries of Blackford county ;

Which was read a first time,

On motion by Mr. Shull,

The rule was suspended and the bill read a second time.

On motion,

The order of business was suspended

Mr. Thompson of Delaware presented

The remonstrance of a large number of citizens of the county of Delaware, against the passage of an act attaching certain territory of said county to the county of Blackford.

On motion by Mr. Shull,

The bill and remonstrance were referred to a select committee consisting of Messrs. Shull, Chapman, Humphreys and Thompson of Delaware.

On motion by Mr. Ross,

The House adjourned to meet to-morrow morning, 9 o'clock.

## TUESDAY MORNING, January 14, 1851.

The House met.

The Journal of the preceding day was read and adopted.

A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House without amendment.

No. 20. An act to abolish the office of School Commissioner and County Agent in Brown county.

No. 28. An act to revive a certain act therein named.

No. 41. An act to authorize the Auditor of Clinton county to make to John Mohn a certificate of purchase for a certain tract of land in said county.

No. 41. An act to correct and supply an omission in an act entitled, "an act directing the Secretary of State to make a patent to James Hensley, for certain Wabash and Erie Canal lands," approved January 21, 1850.

#### PETITIONS, MEMORIALS, &C., PRESENTED.

By Mr. Millikan;

The petition of the ladies of Michigan city on the subject of Temperance.

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Hutchinson;

The temperance memorial from Wm. H. Erskine and other citizens of Vanderburg county;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Lank;

The memorial of sundry citizens of Randolph county on the subject of temperance;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. McMakin;

The petition of sundry citizens of Tippecanoe county, praying for an act granting a State road, commencing at the county line, between Tippecanoe and Montgomery counties and terminating at Wood's mill on the Wea;

Which,

On motion,

Was referred to a select committee consisting of Messrs. McMakin, Harris and Marquess.

By Mr. Hicks;

The petition of B. F. Hays and others in relation to the navigation of White river;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Hicks, Coburn, Hosbrook, Morgan, Hammond, Franklin, Gentry and Humphreys.

## REPORTS FROM COMMITTEES.

Mr. Ross from the committee on Corporations made the following report:

MR. SPEAKER:

The committee on Corporations to whom was referred Senate bill No. 16, "an act to amend an act entitled an act to incorporate the Richmond and Williamsburg Turnpike Company," approved January 16, 1849, have had the same under consideration, and have instructed me to report the same back without amendment and recommend its passage;

Which report was concurred in, and the bill contained in the foregoing report was ordered to a third reading.

Mr. Donaldson from the committee on Corporations made the following report:

MR. SPEAKER:

The committee on Corporations to whom was referred House bill No. 13, "a bill to incorporate the Bluffton, Camden and Winchester Plank Road Company," have had the same under consideration, and authorized me to report the same back without amendment and recommend its passage.

The bill contained in the foregoing report was ordered to be engrossed.

Mr. Donaldson, from the committee on Corporations made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred House bill No. 53, an act to incorporate the Peru and Andersontown Plank Road Company, have had the same under consideration, and authorize me to report the same back without amendment and recommend its passage.

The bill contained in the foregoing report was ordered to be engrossed.

Mr. Shook, chairman of the committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The committee on Enrolled Bills, to whom was referred the joint

resolution of the House No. 48, entitled a joint resolution on the subject of the bounty lands granted to certain officers and soldiers who were engaged in the military service of the United States, with certain instructions, have had the same under consideration, and have directed me to report the same back, amended accordingly, for the action of the House.

The question being on concurring in the report of the committee,

Was decided in the affirmative.

The question then being, Shall the bill pass?

The ayes and noes were demanded by Messrs. Gentry and Thorn.

*Those who voted in the affirmative were.*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Pike, Caylor, Clark, Cowan, Crawford, Crim, Davis of Dubois, Donaldson, Elkins, Essex, Gentry, Goodman, Goodwin, Haywood, Hutchinson, Jordan, Lindsey, Marquess, McKim, Mercer, Moore, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Peckenaugh, Phillips, Rice, Riley, Ross, Shook, Simler, Stayner, Stone, Swihart of Huntington, Walls, Watt, Watts, Withers, Wittemeyer and Mr. Speaker—45.

*Those who voted in the negative were,*

Messrs. Brown of Shelby, Campbell, Carr, Chapman, Coburn, Cox, Davis of Scott, Edwards, Fleece, Franklin, Graff, Hall, Hamilton, Hammond, Harris, Hicks, Hosbrook, Isom, Jackson, Johnston, Jones, Lank, Lawrence, Lewis, Marshall, Marvin, McCarty, McClelland, McMakin, Morgan, Nelson, Painter, Pratt, Reynolds, Robbins, Shull, Schwartz, Swihart of Wabash, Thompson of Carroll. Thompson of Delaware, Thorn, Usher, Watson, Willard, Williamson, and Wilson—46.

So the joint resolution did not pass.

On motion,

The order of business was suspended.

On motion by Mr. Crawford,

*Resolved*, That the Senate be requested to attend in the House instantler, to go into the election of Trustee of the Wabash and Erie canal, and that seats be provided for their accommodation on the right of the Speaker's chair.

The Senate came into the Hall, when both branches of the General Assembly proceeded, in Joint Convention, by ballot, to the election of a Trustee of the Wabash and Erie canal, on behalf of the

State, to fill the vacancy occasioned by the expiration of the term of service of the present incumbent.

Messrs. Milliken and Ellis acting as tellers on the part of the Senate, and

Messrs. Franklin and Williamson on the part of the House of Representatives.

On counting the votes, it appeared that

|                               |   |   |   |     |        |
|-------------------------------|---|---|---|-----|--------|
| William R. Nofsinger received | - | - | - | 117 | votes. |
| Scattering,                   | - | - | - | 29  | "      |

William R. Nofsinger having received a majority of all the votes given, was declared duly elected Trustee of the Wabash and Erie canal on the part of the State, to serve as such for the term of three years, from and after the 17th day of January, 1851.

#### RESOLUTIONS.

By Mr. Franklin;

*Resolved*, That the committee to whom was referred that portion of the Governor's message in relation to a geological survey of the State of Indiana, be instructed to inquire into the expediency of providing for said survey; and that they report by bill or otherwise.

Mr. Davis of Scott offered the following resolution:

*Resolved*, That the committee on Roads be instructed to report in favor of amending all laws on the subject of roads, so as to make the law general.

Mr. Graff moved to amend by adding "and making it imperative." Which amendment was adopted.

The question then being on the adoption of the resolution as amended, was decided in the affirmative.

#### JOINT RESOLUTIONS INTRODUCED.

By Mr. Walls;

No. 119. A joint resolution of the General Assembly of the State of Indiana, relative to the improvement of the Falls of the Ohio river; Which was read a first time.

On motion,

The rule was suspended, and the joint resolution read a second time and ordered to be engrossed.



On motion,

The order of business was suspended.

On motion by Mr. Clark,

*Resolved*, That the select committee of one from each Congressional district, on the subject of temperance, be instructed not to report until a reasonable time has been allowed for all persons interested to send in their petitions and remonstrances on that subject.

#### BILLS INTRODUCED.

By Mr. Jones;

No. 120. A bill to amend an act entitled "an act to authorize Jane Bushnell Jenks to hold and convey real estate," approved Jan. 16, 1849;

Was read a first time.

On motion,

The rule was suspended, and the bill read a second time, when,

On motion by Mr. Patterson of Tippecanoe,

Was referred to the committee on the Judiciary.

By Mr. Johnston;

No. 121. A bill to amend an act entitled "an act to provide for the call of a Convention of the people of the State of Indiana to revise, amend, or alter the Constitution of said State," approved Jan. 18, 1850;

Which was read a first time and,

On motion,

The rule was suspended, and the bill read a second time.

Mr. Caylor moved to lay the bill on the table.

The ayes and nays being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Brown of Pike, Caylor, Coburn, Cowan, Cox, Crim, Elkins, Essex, Graff, Harris, Hicks, Hubbard, Hutchinson, Jones, Lank, Lewis, Moore, Painter, Pancake, Patterson of Tippecanoe, Simler, Stayner, Thompson of Delaware, Walls, Wilson, and Mr. Speaker—30.

*Those who voted in the negative were,*

Messrs. Bradley, Brown of Shelby, Bulla, Campbell, Carr, Chapman, Clark, Conner, Crawford, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Fleece, Franklin, Gentry, Goodman, Goodwin, Hall, Hamilton, Hammond, Haywood, Hosbrook, Humphreys, Isom, Jackson, Johnston, Jordan, Lawrence, Lindsey, Marquess, Marshall,

Marvin, McCarty, McClelland, McKim, McMakin, Mercer, Millikan, Morgan, Morrow, Nelson, Patterson of Marshall, Peckenpaugh, Phillips, Pratt, Reynolds, Rice, Riley, Robbins, Ross, Shook, Shull, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thorn, Usher, Watson, Watt, Watts, Williamson, Withers, and Wittenmeyer—66.

So the bill was not laid on the table.

Mr. McClelland, moved to amend by striking out the first section. Which motion did not prevail.

Mr. Patterson of Marshall, moved to adjourn.

The ayes and noes being demanded by Messrs. Patterson of Tippecanoe and Jones,

*Those who voted in the affirmative were,*

Messrs. Bird, Patterson of Marshall, and Stone—3.

*Those who voted in the negative were,*

Messrs. Armstrong, Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Campbell, Carr, Caylor, Chapman, Clark, Coburn, Conner, Cowan, Cox, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Elkins, Essex, Fleece, Franklin, Gentry, Goodman, Graff, Hall, Hamilton, Hammond, Harris, Haywood, Hicks, Hosbrook, Hubbard, Humphreys, Isom, Jackson, Johnston, Jones, Jordan, Lank, Lawrence, Lewis, Lindsey, Marquess, Marshall, Marvin, McCarty, McClelland, McKim, McMakin, Mercer, Millikan, Moore, Morgan, Morrow, Nelson, Painter, Pancake, Patterson of Tippecanoe, Peckenpaugh, Phillips, Pratt, Reynolds, Rice, Riley, Robbins, Ross, Shook, Shull, Simler, Stayner, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Walls, Watson, Watt, Watts, Willard, Williamson, Wilson, Withers, Wittenmeyer, and Mr. Speaker—91.

So the House did not adjourn.

Mr. Chapman offered the following amendment:

SEC. 5. That from and after the close of the present session of the Legislature, each member of the Senate and House of Representatives shall receive three dollars per day for each and every day they may serve as such.

Mr. Phillips moved to refer the bill and pending amendment to the committee on Ways and Means.

Which motion did not prevail.

On motion by Mr. Davis of Scott,

The amendment was laid upon the table.

Mr. Ross moved to refer the bill to the committee on the Judiciary. Which motion did not prevail.

Mr. Davis of Scott moved to refer the bill to the committee on Claims.

Which motion did not prevail.

Mr. Shook moved to refer to the committee on additional appropriations.

Which motion did not prevail.

Mr. Hammond moved to amend the bill by striking out "from and after its passage," and inserting "from and after the 20th day of January, 1851."

Mr. Patterson of Tippecanoe, moved to amend the amendment by striking out the "20th of January," and inserting the "20th day of January next."

Which motion did not prevail.

The question then recurring on the adoption of the amendment, was decided in the affirmative.

Mr. Gentry moved to amend by striking out the 20th, and inserting the 1st day of January, 1851.

Which motion did not prevail.

Mr. Hamilton moved to lay the bill upon the table.

Which motion did not prevail.

Mr. Edwards offered the following amendment:

Strike out so much as provides for the per diem of \$1 50, and insert that the respective constituents of the several delegates shall pay said delegates for their services on the *quantum meruit* count.

Which motion did not prevail.

Mr. Marvin moved to amend the bill by adding, "this act shall be considered Buncomb."

Which was adopted.

Mr. Chapman moved to refer the bill to the committee of the whole House, and that it be made the special order of the day tomorrow, at 2 o'clock.

Which motion prevailed.

On motion by Mr. Nelson,

The House adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The House met.

On motion,

The order of business was suspended.

Mr. Johnston offered the following resolution:

*Resolved*, That the Senate be invited to attend in the Hall of the House of Representatives *instantly*, for the purpose of going into the election of Warden of the State Prison.

Which was adopted.

On motion,

The order of business was suspended.

Mr. Fleece, from the committee on corporations, made the following report :

**MR. SPEAKER :**

The committee on Corporations, to whom was referred bill of the House, No. 81, entitled an act to incorporate the Fort Wayne and Bluffton Turnpike Company, approved January 16, 1849, have had the same under consideration, and have instructed me to report it back to the House without amendment, and respectfully recommend its passage.

Which was concurred in and the bill ordered to be engrossed.

On motion,

The order of business was suspended.

Mr. Humphreys introduced

No. 122. A bill exempting from taxation certain lands therein named, for the term of five years from and after the date of their entry ;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended.

Mr. Marvin presented the petition of the Treasurer and Collector of Boone county, praying this honorable body to extend the time for making his return until the 1st day of May next.

Which,

On motion,

Was referred to a select committee consisting of Messrs. Marvin, Nelson and Fleece,

On motion,

The order of business was suspended.

Mr. Patterson of Tippecanoe introduced

No. 123. A bill authorizing the President and Trustees of the town of Lafayette to purchase and hold real estate.

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended, and,

Mr. Hutchinson introduced

No. 124. A bill to incorporate the Vanderburg Manufacturing Company.

Which was read a first time.

The Senate came into the Hall, when both branches of the General Assembly proceeded in joint convention, by ballot, to the election of Warden of the State Prison, to fill the vacancy occasioned by the expiration of the term of service of the present incumbent;

Messrs. Harvey and Hardin acting as tellers on the part of the Senate, and

Messrs. Hutchinson and Hammond on the part of the House of Representatives.

On counting the votes, it appeared that

|                        |   |   |   |   |   |            |
|------------------------|---|---|---|---|---|------------|
| Alanson Ruter received | - | - | - | - | - | 112 votes. |
| Blank,                 | - | - | - | - | - | 27 "       |

Alanson Ruter, having received a majority of all the votes given, was declared duly elected Warden of the State Prison, to serve as such for the term of three years from and after the term of service of the present incumbent.

The Senate then retired to their Chamber.

The consideration of bill No. 124 was resumed.

On motion,

The rule was suspended and the bill read a second time.

On motion by Mr. Phillips,

Was referred to the committee on Corporations.

On motion,

The order of business was suspended.

Mr. Usher introduced

No. 125. A bill to enable persons sustaining damages occasioned by the construction of the Wabash and Erie Canal to have their damages assessed without further delay, and for more convenient service of process on the Trustees of said canal.

Which was read a first time,

On motion,

The rule was suspended the bill read a second time and referred to the committee on the Judiciary.

On motion,

The order of business was suspended.

On motion by Mr. Thompson of Delaware,

*Resolved*, That the select committee appointed to establish the boundaries of Blackford county, be changed from a committee of five, to seven.

Messrs. Morrow and Crim were added to said committee under the foregoing resolution.

On motion,

The order of business was suspended.

Mr. Pratt offered the following resolution:

*Resolved*, That the committee on the Judiciary be instructed to enquire into the expediency of so amending the law, as to dispense with the impracticable formalities now required to enable the lessee to take advantage of the clause in leases allowing him to re-enter on non-payment of rent.

Which was adopted.

#### ORDERS OF THE DAY.

A message from the Senate, by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, with four amendments:

No. 57. An act directing the Auditor of State to pay over to the Treasurer of Ripley county, certain funds therein named;

In which amendments the concurrence of the House is respectfully requested.

The House proceeded to the consideration of the bill contained in the message.

The question then being on concurring in the amendments of the Senate to bill No. 57, contained in the foregoing message;

Was decided in the affirmative.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House with one amendment:

No. 85. An act for the relief of township Clerks in the county of Posey;

In which amendment the concurrence of the House is respectfully requested.

The amendment of the Senate to bill No. 85, was concurred in.

On motion,

The vote on the concurrence of the House to the amendment of the Senate to House bill,

No. 85. Contained in the foregoing message was reconsidered;

And the Clerk was ordered to return the same to the Senate to correct a mistake.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, viz :

No. 63. An act in relation to the suit of the Vincennes University against the State of Indiana.

No. 64. An act locating a State road on the line dividing the counties of Allen and DeKalb, and for other purposes.

No. 67. An act to alter the time of holding the Circuit Courts in certain counties in the 3d Judicial Circuit ;

In which the concurrence of the House is respectfully requested.

The House proceeded to the consideration of bills contained in the foregoing message :

Nos. 63 and 64, were read a first time and passed to a second reading.

On motion,

The order of business was suspended.

On motion by Mr. Riley,

*Resolved*, That the Senate be invited to appear instantan in the Hall of the House of Representatives, to go into the election of a Judge for the sixth Judicial Circuit.

The House resumed the consideration of bills contained in the message :

No. 67 contained in the message, was read a first time and passed to a second reading.

The Senate came into the Hall, when both branches of the General Assembly proceeded in joint convention by ballot to the election of President Judge of the 6th Judicial Circuit, in place of the Honorable Jehu T. Elliot, whose term of service will soon expire.

Messrs. Turman and Holloway acting as tellers on the part of the Senate, and

Messrs. McCarty and Coburn on the part of the House of Representatives.

On counting the votes it appeared that,

|                          |           |
|--------------------------|-----------|
| William Grose received,  | 70 votes. |
| Jehu T. Elliot received, | 68 votes. |
| Blank,                   | 7 votes.  |

No person having received a majority of all the votes given, the joint convention proceeded to a second ballot ;

Messrs. Shook and Armstrong acting as tellers on the part of the House.

On counting the votes it appeared that,

|                          |           |           |
|--------------------------|-----------|-----------|
| William Grose received,  | - - - - - | 67 votes. |
| Jehu T. Elliot received, | - - - - - | 75 votes. |
| Blank,                   | - - - - - | 4 votes.  |

Jehu T. Elliot having received a majority of all the votes given, was declared duly elected President Judge of the 6th Judicial Circuit, to serve as such for the term of seven years from and after the expiration of the term of service of the present incumbent.

The Senate then retired to their chamber.

The Speaker laid before the House the following communication from his Excellency the Governor:

HON. E. DUMONT,

*Speaker of the House of Representatives;*

You will please lay before the body over which you have the honor to preside, the enclosed resolutions from the State of Vermont.

Yours, &c.,

JOS. A. WRIGHT.

On motion,

The resolutions accompanying the communication were laid on the table.

The orders of the day were resumed,

The question being on concurring in the amendment of the Senate to bill of the House, No. 85, contained in the foregoing message,

Was decided in the affirmative.

Ordered that the Clerk inform the Senate thereof.

#### HOUSE BILLS ON THIRD READING.

No. 54. A bill to further amend an act entitled an act to incorporate the Michigan Road Company, approved January 13, 1845, and for other purposes.

No. 94. A bill in relation to the service of writs of summons in actions of law, and subpoenas in chancery.

No. 99. A bill to extend the provisions of the 65th section of chapter 38, of the Revised Code of 1843, so as to embrace within its provisions, bounty land, extra pay or arrears of pay, and for other purposes.

Were severally read a third time and passed.

Ordered, that the clerk inform the Senate thereof.



A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit:

No. 77. An act to repeal an act therein named.  
In which the concurrence of the House is respectfully requested.

Mr. Coburn, chairman of the committee on Engrossed Bills, made the following report :

**MR. SPEAKER:**

The committee on engrossed bills report that bills numbered 52, 54, 94, 95, 91, 102, 109, and 116 are correctly engrossed.

Mr. Coburn, chairman of the committee on Engrossed Bills, made the following report :

**MR. SPEAKER:**

The committee on Engrossed Bills have examined bill numbered 53, and joint resolution No. 119, and report that they are correctly engrossed.

On motion by Mr. Chapman,  
The House adjourned to meet at 9 o'clock to-morrow morning.

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**WEDNESDAY MORNING, January 15, 1851.**

The House met.

The Journal of the preceeding day was read and adopted.

A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representa-

tives that the Senate has passed the following engrossed bills of the House without amendment:

No. 40. An act to incorporate the Athenian Society of Indiana University.

No. 63. An act relative to the purchase of books for the use of the convicts of the State Prison, and for other purposes.

No. 106. An act extending the time of holding the Probate Court in the county of Carroll.

A message from the Senate by Mr. Emerson, their Secretary.

MR. SPEAKER:

I am requested by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, viz:

No. 77. An act to repeal an act therein named.

In which the concurrence of the House is respectfully requested.

A message from the Senate, by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof:

No. 36. An act to incorporate the Cicero and Kirklin Plank Road Company.

No. 50. An act to incorporate the Liberty and Miami Railroad Company.

No. 68. An act legalizing a certain deed of conveyance heretofore made and executed by the County Auditor of Perry county to William Elder.

No. 72. An act in relation to the January term, A. D. 1851, of the Probate Court of Martin county.

No. 79. An act authorizing a company to construct the Manchester and Elizabethtown Turnpike.

In which the concurrence of the House is respectfully requested.

#### PETITIONS, MEMORIALS, &C., PRESENTED.

By Mr. Ross;

The petition of sundry citizens of township 12, range 11 east, of the county of Franklin, praying this honorable body to pass a law to incorporate the above named township, with full power to elect a School Commissioner, and for other purposes;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Ross, Withers and Riley.

By Mr. Thompson of Carroll;

The petition of sundry citizens of school district No. 6, township 26, range 1, in Carroll county, respecting the erection of a school house in said district, &c.;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Thompson of Carroll, Pratt, and Donaldson.

By Mr. Lank;

The petition of sundry ladies of Randolph county, on the subject of temperance;

Which,

On motion,

Was referred to the committee on Temperance.

On motion by Mr. Hosbrook,

The petition of Messrs. Koontz and Burke was taken from the table and referred to the committee on the Northern Division of the Central Canal.

By Mr. Hubbard;

The petition of the Directors of the Henry county turnpike, praying this honorable body to legalize their acts, &c.;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Hubbard, Jordan and Riley.

By Mr. Schwartz;

The memorial of sundry citizens of Clark county, concerning legalized liquor traffic;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Hutchinson;

The memorial of Louisa F. McClendon and other ladies of Vanderburg county, on the subject of temperance.

Which,

On motion,

Was referred to the committee on Temperance.

#### REPORTS FROM COMMITTEES.

Mr. Gentry, from the committee on Enrolled Bills, made the following report:

**MR. SPEAKER:**

The committee on Enrolled Bills have examined the following, and find them correctly enrolled, to-wit:

No. 41. An act to authorize the Auditor of Clinton county to make to John Mohn a certificate of purchase for a certain tract of land in said county.

No. 91. An act to correct a misprint and supply an omission in an act entitled an act directing the Secretary of State to make a patent to James Hensley for certain Wabash and Eire canal lands.

No. 67. An act to change the name of the town of Rochester in Franklin county.

No. 28. An act to revive a certain act therein named.

No. 83. An act to provide for the return of the vote on the school law to the office of the Secretary of State.

Mr. Shook, chairman of the committee on Enrolled Bills, made the following report:

**MR. SPEAKER:**

The committee on Enrolled Bills have examined the following and find them correctly enrolled:

No. 21. An act to repeal an act giving further time to Assessors approved January 15, 1844, and all laws contravening the provisions of section 28, of chapter 12, of the Revised Statutes of 1843.

No. 22. An act to locate a State road in the counties of Kosciusko and Wabash.

No. 25. An act to open an alley in the town of Perrysville, in the county of Vermillion.

No. 37. An act authorizing the Board of Commissioners of the county of Morgan to make additional allowances to the Auditor of said county.

No. 38. An act to repeal an act to restrict the Grand Jury in Franklin county in their sessions, approved January 15, 1850.

No. 70. An act to extend the terms of the February and May terms of the Laporte Probate Courts.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Clark, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee, to whom was referred bill of the Senate No. 52, entitled an act to incorporate the Sparta and Napoleon Turnpike Company, have had the same under consideration and instructed me to report the same back without amendment, and recommend its passage.

On motion by Mr. Clark,

The rule was suspended and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Moore, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred a resolution of the House, directing them to inquire into the expediency of making an appropriation for the payment of the expenses of the Convention now in session, for the purpose of revising and amending the Constitution of this State, and to report the probable amount necessary to enable said Convention to complete the object for which they were assembled, have had the subject under consideration and directed me to report,

That the Convention was called into existence by the qualified voters of this State, with a view to correct certain acknowledged defects in the existing Constitution, and to deliberate on the propriety of other reforms suggested, about which a diversity of opinion prevailed.

Among the amendments about which there was little, if any, difference of opinion, the following are believed to be the principal:

1st. The election by the people of all judges and other chief officers of State, now elected by the Legislature.

2d. Biennial sessions of the Legislature.

3d. The appropriation of all fines and forfeitures to the support of common schools.

4th. Limitation of the legislative power in the creation of a public debt.

5th. Suitable restrictions against the passage of laws of a local character.

6th. A reconstruction of our Judiciary establishment, and some provisions for the simplifying of our laws and the mode of procedure in our courts.

Other amendments were advocated in some quarters, such as a modification of our Grand Jury system, to prevent the immigration to our State of free blacks; to open to competition the business of banking. But it is believed the foregoing embraces the principal, if not all the subjects in reference to which amendments, revision, and reform in the existing Constitution were demanded.

In the canvass of 1849, immediately preceding the time when the people were called upon to vote whether or not a convention should be called, the reforms desired were extensively discussed from the candidate for Governor down, and the committee feel a very confident assurance that none others beyond those above specified were submitted to the people.

It was in reference to these reforms, and none others, that the people voted for the call of the Convention. The committee dare not say that the Convention is strictly limited to the consideration of

these reforms and none other; yet, doubtless, it should be an argument of great weight to that body, that the people had neither felt nor fancied any evils in the present system beyond those above indicated, until the Convention, in the spirit of demolition, had demonstrated its sense of the rickety structure under which the people had lived so long.

The act providing for the call of the Convention, approved January 18, 1850, does not, in direct terms, limit the session of that body, yet, in the opinion of the committee, the inference is strong and the evidence abundant, that the Legislature which passed the act never contemplated a session beyond three months. The provisions of the act appropriating \$40,000 for the payment of the expenses of the Convention, postponing the usual period of the meeting of the General Assembly to the fifth Monday in December, and requiring the Governor to lay before that body, at its present session, a certified copy of the amended Constitution, all establish, beyond a doubt, the purpose of the Legislature to limit the action of the Convention within the period of three months.

The committee are of opinion, that a strict economy of time would have enabled the Convention to have fully and satisfactorily fulfilled its trust, and to have made all needful amendments to the Constitution within that period. While they would not disparage the value of the labors of that body, or impugn the motives of any of its members, much less make any invidious references, they desire to express in distinct terms their opinion that much time has been uselessly consumed in the consideration of reforms neither called for nor desirable. In the opinion of this committee, the organic law of the State should be simple in structure, brief and perspicuous. These qualities are important to insure its being read and comprehended by the people of all classes and conditions, now and hereafter. It should be a *vade mecum* in the hands of every citizen, as familiar to him as his Bible. The distribution of the powers of government, and the precise limitation of each department, with a specific enumeration of those rights excepted out of the powers of government and inviolable under all circumstances, are susceptible of being reduced within a very brief compass, scarcely as long as the charter of a modern railroad company. The best evidence of this truth is found in that beautiful model, worthy of all imitation, the Constitution of the United States, and in that excellent Constitution now in process of amendment. Under this latter instrument we have flourished as a State beyond all former precedent. From a population of 60,000 souls, we have increased to one of a million, and in the third part of a century, have risen to the dignity of the fifth State in this great confederacy.

That Constitution was framed by our fathers in the period of twenty-one days. A convention of their sons has been occupied near four months with its session, and yet gives no indication of an early adjournment. The committee do not wish to disguise the fact, that

the people are restless and dissatisfied with this state of things. Their murmurs are becoming deep and loud.

By the first of February, the earliest period at which the Convention will probably adjourn, its expenses will amount to very near the sum of \$80,000, a sum adequate to defray the whole ordinary expenses of the State government for a year. At a period when our people are staggering under the burden of the State debt, when many counties have become deeply involved in the erection of public buildings, and in subscriptions to railroad enterprises; when our taxation has been pressed seemingly to the furthest endurable point, it is with deep reluctance the committee feel constrained to recommend a further appropriation of \$37,311, involving still further taxation. This appropriation is designed to cover all the expenses of the Convention, not met by the appropriation of last year, up to the 1st day of February next. The committee feel that they would outrage public opinion were they to recommend an appropriation that would allow the Convention to continue its session beyond the period above named, at the expense of the State. Should the members of that body not be able to complete their work in that time, it is not doubted but a sense of patriotism will induce them to cheerfully devote the remaining time required without charge.

The committee submit the following estimate of expenses up to the first day of February next:

|                                                        |                 |
|--------------------------------------------------------|-----------------|
| Per diem pay of the members, - - - - -                 | \$54,450        |
| Mileage of members, - - - - -                          | 3,750           |
| Expenses of Clerks, - - - - -                          | 2,880           |
| Expenses of Door-keepers, Sergeant-at-Arms, &c., - - - | 3,238           |
| Stationery and fuel, - - - - -                         | 1,630           |
| Expenses of Stenographer to report debates, - - - -    | 5,243           |
| Expenses of room and rent of Masonic Hall, - - - -     | 520             |
| Expenses of printing, - - - - -                        | 5,600           |
|                                                        | <hr/>           |
|                                                        | <u>\$77,311</u> |

On motion by Mr. Chapman,

The report was laid on the table, and 5000 ordered to be printed.

Mr. Hutchinson moved to print 5000 additional copies.

Which motion did not prevail.

On motion by Mr. Chapman,

The Journal of yesterday was so corrected as to show that Alanson Ruter was elected Warden of the State Prison, for the term of three years, to serve as such from and after the expiration of the term of service of the present incumbent.

Mr. Donaldson moved to print 1000 copies of the foregoing report for the use of the Convention;

Which motion did not prevail.

Mr. Armstrong from a select committee made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of the board of Commissioners in the county of Switzerland, have had the same under consideration, and have instructed me to report it inexpedient to legislate on the prayer of the petitioners at this time;

Which was concurred in.

#### RESOLUTIONS.

Mr. Hosbrook offered the following resolution:

*Resolved*, That this House will, the Senate concurring therein, go into an election for two Trustees for the Hospital for the Insane, this afternoon at 2 o'clock P. M.

Which,

On motion by Mr. Chapman,  
Was laid on the table.

#### BILLS INTRODUCED.

By Mr. Edwards:

No. 126. A bill to amend an act entitled, "an act to incorporate the Terre Haute Draw Bridge Company," approved January 13, 1845.

By Mr. Crim;

No. 127. A bill to amend an act to incorporate the Madison County Hydraulic Manufacturing Company.

By Mr. McKim;

No. 128. A bill to amend "an act to declare certain water courses in the counties of Perry and Spencer, public highways, and for other purposes," approved January 17, 1850;

Which were severally read a first time and passed to a second reading.

By Mr. Marquess;

No. 129. A bill to amend an act to assess and collect the State and county revenue;

Which was read a first time.

On motion,

The rule was suspended, and the bill read a second time and referred to the committee on Ways and Means.

On motion,

The order of business was suspended, and



Mr. Pratt introduced,  
The petition of Thomas Shannon of Cass county ;  
Which,

On motion,

Was referred to the committee on Claims.

By Mr. Schwartz ;

No. 130. A bill to compel a license to be paid by venders of patent or secret medicines.

By Mr. Coburn ;

No. 131. A bill authorizing county Auditors to charge a fee for the acknowledgment of deeds.

Which were each read a first time and passed to a second reading.

On motion,

The order of business was suspended.

Mr. Coburn offered the following resolution :

*Resolved*, That the committee on the Judiciary be required to inquire into the expediency of so changing the law, relative to the assessment of taxes on the personal estate of incorporate companies, as that the stock held in said companies by residents of the State shall be listed in the townships in which the stockholders reside, and to report by bill or otherwise.

Mr. Chapman moved to amend by striking out " the committee on the Judiciary," and insert " the committee on Ways and Means ;"

Which amendment was accepted by the mover.

And the resolution as amended was adopted.

By Mr. Dumont ;

No. 132. A bill to vacate part of the road leading from Harrison to Indianapolis.

Which was read a first time and passed to a second reading.

#### ORDERS OF THE DAY.

A message from the Senate by Mr. Emerson their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House, with one amendment :

No. 34. An act to extend the powers of the Lawrenceburg and upper Mississippi Railroad Company ;

In which amendment the concurrence of the House is respectfully requested ;

Which amendment was concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House with sundry amendments :

No. 69. An act to reduce the fees of the Recorder of the county of Brown.

In which amendments the concurrence of the House is respectfully requested.

On motion by Mr. Hammond,  
The above bill was indefinitely postponed.

#### SENATE BILLS ON FIRST READING.

No. 36. A bill to incorporate the Cicero and Kirklin Plank Road Company ;

Was read a first time.

On motion,

The rule was suspended, and the bill read a second time ;

When,

On motion by Mr. Conner,

Was referred to the committee on Corporations.

No. 50. An act to incorporate the Liberty and Miami Railroad Company.

No. 68. A bill legalizing a certain deed of conveyance heretofore made and executed by the County Auditor of Perry county to Wm. Elder ;

Were each read a first time and passed to a second reading.

No. 72. A bill relative to the January term, A. D., 1851, of the Probate Court of Martin county ;

Was read a first time.

On motion,

The rule was suspended, the bill read a second and third times and passed.

Ordered that the Clerk inform the Senate thereof.

No. 77. A bill to repeal an act therein named ;

Was read a first time.

On motion,

The rule was suspended, and the bill read a second time.

On motion by Mr. Clark,

The bill was amended so as to read, that "the act passed at the last session of the General Assembly be, and the same is hereby repealed.

The bill was then read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 79. A bill to authorize a company to construct the Manchester and Elizabethtown turnpike;

Which was read a first time.

On motion,

The rule was suspended, the bill read a second time and,

On motion by Mr. Chapman,

Was referred to the committee on Corporations.

#### HOUSE BILLS ON THIRD READING.

No. 95. A bill authorizing the location of a State road from Hartford, in Blackford county, through New Cumberland, in Grant county, to Kokomo, in Howard county.

No. 52. A bill to amend an act regulating the jurisdiction and duties of Justices of the Peace in the county of Dearborn;

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

#### SENATE BILLS ON THIRD READING.

No. 2. A bill to change the name and extend the corporate privileges of the Perry Cotton Mill, at Cannelton;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Brown of Shelby,

House bill No. 80, an act to exempt from sale on execution the homestead of a householder having a family;

Was taken from the table and placed upon the files of the House, and referred to the committee of the whole House, and made the special order of the day for Friday next, at 2 o'clock, P. M.

On motion by Mr. McClelland,

Mr. Patterson of Tippecanoe was added to the committee on Benevolent and Scientific Institutions.

No. 16. An act to amend an act entitled "an act to incorporate the Richmond and Williamsburg Turnpike Company," approved January 16, 1849.

No. 25. A bill to authorize the Auditor of Harrison county to make a deed therein named;

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 26. A bill to amend an act entitled "an act to incorporate the Cannelton Savings Institution," approved January 18, 1850;

Was read a third time, when,

On motion by Mr. Franklin,

Was indefinitely postponed.

No. 27. A bill to increase the per diem allowance of the Probate Judges of the counties of Union, Fayette, Rush, and Hendricks;

Was read a second time and,

On motion by Mr. Coburn,

Was referred to the committee on Engrossed Bills.

No. 7. A bill to incorporate the Cannelton Levee and Draining Company;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 32. A bill to amend an act entitled "an act to incorporate the Hamilton Manufacturing Company;"

Was read a third time, when,

On motion by Mr. Patterson of Tippecanoe,

The bill was indefinitely postponed.

No. 43. A bill relative to the Jeffersonville Association.

Was read a third time and informally passed over for the present.

No. 45. A bill declaring a misprint in an act approved January 16, 1849.

No. 51. A bill to increase the per diem allowance of the Probate Judges of the Probate Court of Montgomery and Madison counties.

No. 57. A bill to pay counsel in certain cases.

Were severally read a third time and passed.

Ordered that the Clerk inform the senate thereof.

#### HOUSE BILLS ON SECOND READING.

No. 103. Preamble and joint resolution relative to the Three Per Cent. Fund;

Was read a second time and ordered to be engrossed.

No. 104. A bill to amend an act entitled an act changing the mode of doing business in the county of Crawford, and for other purposes;

Was read a second time,

On motion by Mr. Davis of Dubois,

The bill was amended by adding the county of Dubois.

On motion by Mr. McKim,

The bill was amended by adding the county of Perry.

The bill as amended was ordered to be engrossed.

No. 106. A bill to amend an act entitled an act to incorporate the Greensburg and Brookville Turnpike Company;

Was read a second time,

On motion by Mr. Ross,

The rule was suspended and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 107. A bill in relation to the election of Prosecuting Attorneys;

Was read a second time, when,

On motion by Mr. Gentry,

The bill was laid upon the table.

On motion by Mr. Willard,

The vote on laying the bill upon the table was reconsidered.

The question then being upon laying the bill upon the table,

Was decided in the negative.

On motion by Mr. Franklin,

The bill was referred to the committee on the Judiciary.

No. 108. A bill for the relief of the recorder of Franklin county;

Was read a second time,

On motion by Mr. Ross,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Brown of Shelby,

The House adjourned to meet at 2 o'clock, P. M.

2 o'clock, P. M.

The House met.

#### ORDERS OF THE DAY RESUMED.

No. 111. A bill amendatory of the act incorporating the Townships of Dearborn county, so as to authorize the board of County Commissioners of said county to establish additional election precincts if they deem it expedient;

Was read a second time and ordered to be engrossed.

No. 113. An act to repeal an act entitled an act to amend the road law in Jefferson county;

Was read a second time,

On motion by Mr. Watts,

The rule was suspended and the bill read a third time.

A message from the Senate by Mr. Emerson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have adopted the following resolution, to-wit:

*Resolved*, That the Senate proceed *instantly*, with closed doors, to the election of a Director of the State Bank of Indiana on the part of the State, in the place of William Dailey, Esq., whose term of

service is about to expire, and that the House be informed of the adoption thereof.

On motion,

The above resolution of the Senate was reciprocated by the House.

On motion by Mr. Brown of Shelby,

A call of the House was ordered.

On motion by Mr. Patterson of Tippecanoe,

Leave of absence was granted Mr. Harrison.

On motion by Mr. Humphreys,

Leave of absence was granted Mr. Houghman.

On motion by Mr. Patterson of Tippecanoe,

Leave of absence was granted Mr. O'Neal.

On motion by Mr. Watts,

A further call of the House was dispensed with.

The hour having arrived,

On motion,

The House proceeded with closed doors to the election of State Bank Director to fill the vacancy occasioned by the expiration of the term of service of William Dailey,

Messrs. Patterson of Marshall and Swihart of Wabash acting as tellers.

On counting the first ballot it appeared that,

|                      |   |   |   |   |   |   |   |           |
|----------------------|---|---|---|---|---|---|---|-----------|
| Wm. Dailey received, | - | - | - | - | - | - | - | 49 votes. |
| Spencer Wiley,       | - | - | - | - | - | - | - | 18 votes. |
| George Hibben,       | - | - | - | - | - | - | - | 12 votes. |
| Scattering,          | - | - | - | - | - | - | - | 16 votes. |

Wm. Dailey having received a majority of all the votes given, was by the Speaker declared duly elected on the part of the House, to serve as Director of the State Bank of Indiana, for and during the term of four years, from and after the expiration of the term of service of the present incumbent.

Ordered that the Clerk inform the Senate thereof by a sealed message.

The following message was received from the Senate by Mr. Emerson their Secretary :

MR. SPEAKER :

I am directed by the Senate to deliver to the House of Representatives the accompanying sealed message in relation to the election of a Director of the State Bank of Indiana.

MR. SPEAKER :

I am directed by the Senate, to inform the House of Representa-

tives, that at an election for a Director of the State Bank of Indiana, held with closed doors in pursuance of a resolution of the two Houses, William Dailey, Esq., received on the 4th balloting a number equal to a majority of all the votes given, and was declared duly elected on the part of the Senate, a Director of the State Bank of Indiana, on the part of the State, to serve as such for and during the term of four years from and after the expiration of the term of service of the present incumbent, William Dailey, Esq.

Attest,

FRANK EMERSON,

*Secretary of the Senate.*

On motion,

The order of business was suspended,

Mr. Hammond introduced,

No. 133. A bill to extend the Martinsville and Franklin Railroad via Spencer in Owen county, to the Wabash and Erie Canal;

Which was read a first time,

On motion,

The rule was suspended, the bill read a second time and referred to the committee on Corporations.

The consideration of bill No. 113 was resumed.

The question being, shall the bill pass?

Was decided in the affirmative.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Willard,

The vote on indefinitely postponing bill No. 69 was reconsidered.

On motion by Mr. Chapman,

The House proceeded to the consideration of the amendments of the Senate separately.

On motion,

The first amendment of the Senate was concurred in.

On motion by Mr. Davis of Scott,

The 2d, 3d, 4th and 5th amendments of the Senate were disagreed to by the House.

On motion,

The order of business was suspended.

Mr. Conner introduced,

No. 134. A bill for the relief of borrowers of the sinking fund, surplus revenue, and other public funds;

Which was read a first time and passed to a second reading.

Mr. Patterson of Tippecanoe moved to reconsider the vote authorizing the printing of 5000 copies of the report from the select committee on the subject of an additional appropriation to defray the expenses of the convention to revise and amend the Constitution.

The ayes and noes being demanded by Messrs. Brown of Shelby and Willard,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bradley, Brown of Pike, Bulla, Campbell, Carr, Caylor, Clark, Coburn, Cox, Crawford, Crim, Davis of Scott, Davis of Dubois, Donaldson, Essex, Fleece, Gentry, Graff, Hall, Hamilton, Harris, Haywood, Hicks, Hosbrook, Hubbard, Humphreys, Lank, Lawrence, Lewis, Lindsey, Marquess, Marshall, Marvin, McKim, McMakin, Morgan, Morrow, Nelson, Painter, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Phillips, Rice, Riley, Ross, Shook, Shull, Simler, Schwartz, Stayner, Swihart of Wabash, Thompson of Delaware, Walls, Watson, Willard, Wilson, Withers, Wittenmeyer and Mr. Speaker—62.

*Those who voted in the negative were,*

Messrs. Bird, Blue, Brown of Shelby, Chapman, Conner, Cowan, Edwards, Franklin, Goodman, Goodwin, Hammond, Hutchinson, Isom, Jackson, Johnston, Jones, Jordan, McCarty, McClelland, Mercer, Millikan, Moore, Peckenpaugh, Pratt, Reynolds, Robbins, Stone, Swihart of Huntington, Thompson of Carroll, Thorn, Usher, Watt, Watts and Williamson—34.

So the vote was reconsidered.

The question being on the motion to print 5000 copies of the report,

Mr. Brown of Shelby proposed 100 copies.

Mr. Goodwin proposed 200 copies.

The question being on the motion to print 5000 copies,  
Was decided in the negative.

The question then recurring on the motion to print 200,  
Was decided in the negative.

The question then being on the motion to print 100 copies of the report,

Was decided in the affirmative.

The hour having arrived,

On motion by Mr. Humphreys,

The House went into committee of the whole on bill of the House, No. 80, a bill to exempt from sale on execution, the homestead of a householder having a family.

After some time spent therein, the committee rose, made the following report through Mr. Chapman, their chairman :

**MR. SPEAKER:**

The committee of the whole House, to whom was referred House bill No. 80, have, according to order, had the same under consider-



ation, and have directed me to report progress, and ask to be discharged from further consideration of the subject.

Which report was concurred in by the House.

On motion by Mr. McClelland,

The House adjourned, to meet to-morrow morning at 9 o'clock.

## THURSDAY MORNING, January 16, 1851.

The House met.

The Journal of the preceding day was read and adopted.

On motion,

The order of business was suspended.

Mr. Willard offered the following:

*Ordered*, by the House, the Senate concurring therein, that the Auditor of State be hereby ordered and required to audit the accounts of Austin H. Brown, the printer to the Convention, upon the certificate of the President thereof, and issue warrants for the same, to be paid out of the money appropriated to defray the expenses of the Convention.

Which was adopted.

### PETITIONS, MEMORIALS, &C., PRESENTED.

By Mr. Elkins;

The memorial of ladies and gentlemen of the counties of Allen and Adams, on the subject of legalized liquor traffic;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Hutchinson;

The petition of the citizens of the counties of Vanderburg and Decatur, on the subject of temperance;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Jones;

The petition of sundry citizens of LaGrange county, praying this

honorable body to repeal a certain statute in regard to the practice of law in said county ;

Which,

On motion,

Was referred to the committee on the Judiciary.

By Mr. McCarty ;

The petition of the citizens of Putnam county, respecting the sale of the county Seminary of Putnam county.

Mr. McCarty moved to refer the petition to a select committee of three.

Mr. Franklin moved to refer the petition to the committee on the Judiciary.

Which motion prevailed.

By Mr. Morrow ;

The petition of sundry citizens of Grant county, praying the repeal of a law granting Justices of the Peace exclusive original jurisdiction in certain criminal cases ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Morrow, Shull and Elkins.

By Mr. Coburn ;

The memorials of the ladies and gentlemen of the counties of Greene, Parke, Orange, Fountain, and Tippecanoe, on the subject of temperance ;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Lank ;

The temperance memorial of 129 persons in the county of Jay ;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Lank ;

The memorial of 88 ladies of Jay county, on the subject of temperance ;

Which,

On motion,

Was referred to the committee on Temperance.

#### REPORTS FROM COMMITTEES.

Mr. Rice, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of John

Brumbly and others, on the subject of a turnpike road therein named, have had the same under consideration, and instructed me to report that a bill has passed the House granting the prayer of said petitioners, and ask the be discharged from the further consideration of the same.

Which report was concurred in.

Mr. Chapman, chairman of the committee on the Judiciary, made the following report:

**MR. SPEAKER :**

The committee on the Judiciary, to whom was referred joint resolution of the Senate No. 54, "a joint resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county, Indiana," have had the same under consideration, and have directed me to report it back to the House and recommend that it be indefinitely postponed.

Which was not concurred in.

On motion by Mr. Usher,

The joint resolution was laid upon the table.

Mr. Franklin, from the committee on the Judiciary, made the following report:

**MR. SPEAKER :**

The committee on the Judiciary, to whom was referred bill of the House No. 89, entitled "a bill to authorize John Warren to file a bill in chancery in the Tipton Circuit Court," have had the same under consideration, and directed me to report that they deem it inexpedient to pass the bill. They therefore recommend its indefinite postponement, and ask to be discharged from the further consideration thereof.

Which report was concurred in.

Mr. Pratt, from the committee on the Judiciary, made the following report:

**MR. SPEAKER :**

The committee on the Judiciary, to whom was referred House bill No. 97, entitled an act relative to the practice of law, have had the same under consideration, and have directed me to report the same back to the House without amendment and recommend its passage.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Williamson, from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The Judiciary committee, to whom was referred No. 95, a bill to authorize the Prosecuting Attorney of Porter county to prosecute divorce cases in the circuit, have had the same under consideration, and directed me to report the same back and recommend the indefinite postponement of the bill.

Which report was concurred in, and the bill was ordered to be engrossed.

Mr. Bradley, from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The Judiciary committee, to whom was referred bill of the Senate No 13, "an act to amend sections 456 and 457, of chapter 30, article 17, of the Revised Statutes of 1843, as to renting and leasing of real estate by executors, administrators, and guardians," have had the same under consideration, and have instructed me to report the same back to the House, and recommend that the same be indefinitely postponed.

Which report was concurred in.

Mr. Williamson, from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The Judiciary committee, to whom was referred joint resolution No. 78, on the subject of bounty lands, have had the same under consideration, and directed me to report the same back with an amendment, and recommend its passage.

Which report was concurred in, and the joint resolution was ordered to be engrossed.

Mr. Edwards, from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred House bill No. 44, entitled "a bill to extend the provisions of a certain act therein named to the Eleventh Judicial Circuit, and for other pur-

poses," have had the same under consideration, and instructed me to report it back and recommend its indefinite postponement.

Which report was concurred in.

Mr. Coburn, from the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred House bill No. 59, "an act to amend section 17, chapter 35, of the Revised Statutes of 1843," have directed me report the same back to the House without amendment, and recommend its passage.

On motion by Mr. Willard,

The bill was laid upon the table.

Mr. Coburn, from the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary to which was referred House bill No. 47, "a bill relative to the election and appointment of constables," have directed me to report the same back to the House without amendment and recommend its passage;

Which report was concurred in, and the bill was ordered to be engrossed.

Mr. Franklin from the committee on the Judiciary made the following report:

MR. SPEAKER:

The committee on the Judiciary to whom was referred a resolution of the House instructing said committee to enquire into the expediency of amending section 175, of chapter 47, of the Revised Statutes, so as to do justice between the parties in appeal cases from justices of the peace to the circuit court, have had the same under consideration, and directed me to report that it is inexpedient to legislate upon that subject, and ask to be discharged from the further consideration thereof;

Which report was concurred in.

Mr. Williamson from the committee on the Judiciary made the following report:

MR. SPEAKER:

The Judiciary committee to whom was referred resolution No. 23,

inquiring into the expediency of so amending the law on the subject of offsets allowed as in other cases have had the same under consideration and directed me to report, that it is inexpedient to legislate on the subject;

Which report was concurred in.

Mr. Bradley from the committee on the Judiciary made the following report:

MR. SPEAKER :

The committee on the Judiciary have instructed me to report and recommend the adoption of the following resolution:

*Resolved*, That the committee on the Judiciary be and they are hereby authorized to employ a clerk;

Which report was concurred in and the resolution was adopted.

Mr. Coburn from the committee on the Judiciary made the following report:

MR. SPEAKER :

The committee on the Judiciary to which was referred House bill No. 8, "a bill to provide for electing Supervisors by districts in the counties of Wells, Allen, Noble and Steuben," have directed me to report that it is inexpedient to legislate upon the subject;

Which report was not concurred in.

On motion by Mr. Shook,

The bill was amended by adding the county of Ripley.

On motion by Mr. McMakin,

The county of Montgomery was added.

On motion by Mr. Fleece,

The county of Hendricks was added.

On motion by Mr. Jackson,

The county of Tipton was added.

On motion by Mr. McClelland,

The county of Clinton was added.

On motion by Mr. Simler,

The county of Harrison was added.

Mr. Hosbrook moved to amend by inserting all the other counties in the State;

Which motion did not prevail.

Mr. Graff moved to lay the bill upon the table;

Which motion did not prevail.

The bill was then ordered to be engrossed.

Mr. Pratt from the committee on the Judiciary made the following report:

MR. SPEAKER:

The committee on the Judiciary to whom was referred House bill No. 14, have had the same under consideration, and have directed me to report the same back to the House with the following amendments:

Insert after "Pike" in 1st section, "and Delaware;" and in the same clause change "county" to "counties;" and substitute "them" for "him," in the same clause, so as to make the provisions of said section applicable to Pike and Delaware counties, and to recommend the passage of the bill with three amendments;

Which was concurred in.

On motion by Mr. Willard,  
The bill was amended by adding the county of Floyd.

On motion by Mr. Goodwin,  
The county of Daviess was added.

On motion by Mr. Mercer,  
The county of Elkhart was added.

On motion by Mr. Hicks,  
The county of Johnson was added.

On motion by Mr. Jackson,  
The county of Tipton was added.

Mr. Franklin moved to re-commit the bill to the committee on the Judiciary, with instruction to make the law general.

Mr. Hammond moved to amend the instructions "to enquire into the expediency of making the law general;"

Which motion did not prevail.

The question then being on the committing the bill with instructions was decided in the negative.

On motion by Mr. Willard,

The bill was amended by adding in the proper place at their "June Term."

On motion by Mr. Thompson,  
The bill was amended by adding the county of Delaware.

On motion by Mr. Pancake,  
The county of Noble was added.

On motion by Mr. Goodwin;  
The county of Martin was added.

On motion by Mr. Painter,  
The county of Washington was added.

On motion by Mr. Patterson,  
The counties of Fulton, Marshall and Starke were added.

On motion by Mr. McClelland,  
The county of Clinton was added.

On motion by Mr. Davis,  
The county of Scott was added.

On motion by Mr. Lank,  
The county of Randolph was added.  
Bill was ordered to be engrossed.

Mr. Coburn, from the committee on the Judiciary, made the following report :

**MR. SPEAKER :**

The committee on the Judiciary, to whom was referred House bill No. 98, "an act relative to the fire companies of Indianapolis," with instructions to inquire into the expediency of making the law general, have directed me to report that it is not expedient to make the law general.

Which report was concurred in.

Mr. Humphreys moved to strike out "State," in the bill, and insert "county."

On motion by Mr. Edwards,  
The bill was indefinitely postponed.

Mr. Edwards, from the Judiciary committee, made the following report :

**MR. SPEAKER :**

The committee on the Judiciary, to whom was referred House bill No. 76, entitled "an act to vacate an alley in the town of Bloomington," have considered the same, and instructed me to report it back, and recommend that it be indefinitely postponed.

Which report was concurred in.

Mr. Coburn, from the committee on the Judiciary, made the following report :

**MR. SPEAKER :**

The committee on the Judiciary, to whom was referred House bill No. 96, "an act to amend the 65th and 66th sections of the 38th chapter of Revised Statutes," have directed me to report that they have examined the same, and recommend its indefinite postponement, and ask to be discharged from the further consideration thereof.

Which report was concurred in.

Mr. Bradley, chairman of the committee on Corporations, made the following report :



**MR. SPEAKER :**

The committee on Corporations, to whom was referred the petition of John Hewell and twenty others, praying the passage of an act changing the boundaries of the town of Lamasco city, in the county of Vanderburgh; also, the petition of Henry F. Hornby and seven others, on the same subject; also, the remonstrance of the President and Trustees and eighty citizens of said town, on the same subject, have had the same under consideration, and have instructed me to report that they deem it inexpedient to legislate in relation thereto, and respectfully ask to be discharged from the further consideration of the same.

Which report was concurred in.

Mr. Ross, from the committee on Corporations, made the following report:

**MR. SPEAKER :**

The committee on Corporations, to whom was referred bill of the House No. 35, entitled a bill to incorporate the Cincinnati and Indianapolis Railroad Company, have had the same under consideration, and have directed me to report the same back to the House without amendment, and respectfully recommend its passage.

On motion by Mr. Patterson of Tippecanoe;

The bill was laid on the table.

Mr. Bradley, chairman of the committee on Corporations, made the following report:

**MR. SPEAKER :**

The committee on Corporations, to whom was referred bill of the House No. 31, "an act relative to the Laporte and Plymouth Plank Road Company," have had the same under consideration, and have instructed me to report the same back to the House without amendment, and respectfully recommend its passage.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Bradley, chairman of the committee on Corporations, made the following report:

**MR. SPEAKER :**

The committee on Corporations, to whom was referred a bill of the Senate No. 42, an act to amend an act entitled "an act to incor-

porate the Junction Railroad Company," passed 8th February, 1848, have had the same under consideration, and have instructed me to report the same back to the House without amendment and respectfully to recommend its passage.

On motion by Mr. Watt,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Bradley, chairman of the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred a bill of the House No. 60, "a bill relative to plank roads," have had the same under consideration, and have instructed me to report the same back to the House with one amendment, and upon the adoption of said amendment, to recommend its passage:

Amend by striking out the second section.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Coburn, chairman of the committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The committee on Engrossed Bills, to which was referred Senate bill numbered 27, have examined the same, and have added the word "Marion" after the words, "Rush, Hendricks, and Sullivan," to the engrossed amendments of the House to said bill.

No. 27. A bill to increase the per diem allowance of the Probate Judges of the counties of Union, Fayette, Rush and Hendricks.

Which bill as amended was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Graff,

The title was altered so as to correspond with the bill as amended

Mr. Hutchinson, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to which was referred bill of the House, No. 105, entitled a bill to exempt certain property belonging to the city of Evansville from taxation, have had the same under consideration, and have instructed me to report an amendment herewith

submitted, and recommend the adoption thereof, and the passage of the bill.

Which report was concurred in.

Mr. Franklin moved to strike out "state."

Mr. Usher moved to refer the bill to the committee on Ways and Means.

Which motion prevailed.

Mr. Williamson, from a select committee made the following report:

**MR. SPEAKER:**

The select committee, to whom was referred the petition of the citizens of Clay and Parke counties, on the subject of a plank or clay turnpike road company, have had the same under consideration, and directed me to report the following bill and recommend its passage:

No. 135. A bill to incorporate the Mullican's Mill and Junction Plank or Clay Turnpike Road Company.

Was read a first time,

On motion,

The rule was suspended and the bill read a second time, when,

On motion,

Was referred to the committee on Corporations.

Mr. Rice, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee, to which was referred the petition of Elizabeth Clement and others, of the county of Orange, asking her name to be changed to that of Elizabeth Cornwell; also, the petition of Nancy Anderson, of the county of Vigo, asking her name to be changed to that of Nancy Pitman, and the name of her son from that of Samuel Stacy Anderson to that of Samuel Stacy Pitman; also, House bill No. 39, entitled a bill to change the name of Morris Stanley Nevins to that of Stanley Morris Warner, have had the said petitions and bill under consideration, and instructed me to report the bill back to the House, recommend that it be laid on the table, and to report the following bill and recommend its passage.

Which report was concurred in.

No. 136. A bill to change the names of persons therein named;

Which was read a first time and passed to a second reading.

Mr. Moore, from a select committee, made the following report :

MR. SPEAKER :

The committee to whom was referred the petition of sundry citizens therein named, relative to a State road in the counties of Decatur, Bartholomew, and Jennings, have had the same under consideration, and directed me to report the following bill, and respectfully recommend its passage :

No. 137. A bill to repeal an act entitled an act to locate a State road in the counties of Decatur, Jennings and Bartholomew, approved Janunry 5, 1849.

Which was read a first time and passed to a second reading.

Mr. Bradley, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of Nathan Wait, Daniel G. Hathaway, and others, praying the passage of an act to locate a State road therein described, have had the same under consideration, and have instructed me to report the following bill and respectfully to recommend its passage :

No. 138. A bill to locate a State road in the counties of Pulaski, Starke and Laporte.

Which was read a first time and passed to a second reading.

Mr. Jackson, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred a petition for a State road from Strawtown, in the county of Hamilton, to Jerome, in the county of Howard, have had the same under consideration, and find that the requisite number of signers and the proper affidavits accompanying said petition, are as the law directs ; we therefore report the following bill and recommend its passage :

No. 139. A bill to locate a State road from Strawtown, in Hamilton county, to Jerome, in Howard county.

Which was read a first time and passed to a second reading.

Mr. Hubbard, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition from the Board of Directors of the Henry County Turnpike Company, have had the subject matter therein contained under consideration, and

have directed me to report the following bill and recommend its passage:

No. 140. A bill to legalize certain acts of the Henry County Turnpike Company, and for other purposes.

Which was read a first time and passed to a second reading.

#### RESOLUTIONS.

On motion by Mr. Humphreys,

*Resolved*, That the Senate be respectfully requested to return to the House, bill of the Senate, No. 14, entitled a bill to abolish the office of Auditor of Ohio county, passed during the present session.

Mr. Goodwin offered the following resolution:

*Resolved*, That the committee on Education be instructed to inquire into the expediency of making it the duty of the Clerks of the respective counties to pay one half of all moneys paid for marriage licenses into the hands of the County Treasurer for school purposes, and that they report by bill or otherwise.

Which was not adopted.

Mr. Hosbrook offered the following resolution:

*Resolved*, That this House will, the Senate concurring therein, go into an election for two trustees, or commissioners, for the Hospital for the Insane, this afternoon, at 2 o'clock, P. M.

Which was not adopted.

Mr. Mercer offered the following resolution:

*Resolved*, That the committee on the Judiciary be instructed to inquire into the expediency of increasing the salaries of the President Judges of the several circuits of this State, to one thousand dollars per annum.

Which was not adopted.

Mr. Marvin offered the following resolution:

*Resolved*, That the committee on Swamp Lands be instructed to inquire into the expediency of appropriating said lands to the several counties in which said lands are situate, for the purpose of carrying out the act of Congress in regard to said lands, and that they report by bill or otherwise.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Bird, Bradley, Brown of Pike, Cowan, Davis of Dubois, Elkins, Graff, Hamilton, Hammond, Humphreys, Jackson, Jones, Lewis, Marvin, McClelland, Mercer, Millikan, Nelson, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Pratt, Reynolds, Shook, Shull, Stayner, Swihart of Huntington, Thorn, Williamson, and Wilson—29.

*Those who voted in the negative were,*

Messrs. Armstrong, Benson, Blue, Brown of Shelby, Campbell, Carr, Caylor, Chapman, Clark, Coburn, Cox, Crawford, Crim, Davis of Scott, Donaldson, Edwards, Essex, Fleece, Franklin, Gentry, Goodman, Goodwin, Hall, Harris, Haywood, Hicks, Hosbrook, Hubbard, Isom, Johnston, Jordan, Lank, Lawrence, Lindsey, Marshall, McCarty, McKim, McMakin, Moore, Morgan, Morrow, Painter, Patterson of Tippecanoe, Peckenpaugh, Phillips, Rice, Riley, Robbins, Ross, Simler, Stone, Schwartz, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Usher, Walls, Watson, Watt, Watts, Willard, Withers, and Wittenmeyer—63.

So the resolution was not adopted.

On motion by Mr. Ross:

*Resolved*, That the committee on Ways and Means be authorized to inquire into the expediency of exempting all persons from taxation who served in the army of the United States for three years, from the close of the revolutionary war until the close of the late war with Great Britain, and to report by bill or otherwise.

#### BILLS INTRODUCED.

By Mr. Patterson of Marshall;

No. 141. A bill to amend an act to incorporate the Logansport and Rochester Michigan Road Company, approved Jan. 16, 1846.

Which was read a first time,

On motion,

The rule was suspended and the bill read a second time,

When,

On motion by Mr. Blue,

It was referred to the committee on Corporations.

By Mr. Hamilton;

No. 142. A bill to regulate the sale of spirituous liquors in Jackson county, Indiana;

Which was read a first time and passed to a second reading.

By Mr. Pratt;

No. 143. A bill to amend the practice at law and chancery;

Which was read a first time,

On motion,

The rule was suspended, and the bill read a second time and referred to the committee on the Judiciary.

By Mr. Peckenpaugh;

No. 144. A bill to regulate the time of holding the February term of the Crawford Probate Court;

Which was read a first time,

On motion,

The rule was suspended, the bill read a second time and ordered to be engrossed.

By Mr. McKim;

No. 145. A bill to provide for the election County Commissioners in the counties of Perry and Dubois;

Which was read a first time and passed to a second reading.

By Mr. Lindsey;

No. 146. A bill to incorporate the Connersville and Milton Turnpike Company;

Which was read a first time,

On motion,

The rule was suspended, and the bill read a second time and referred to the committee on Corporations.

By Mr. Lank;

No. 147. A bill to incorporate the Newport and Winchester Plank Road Company;

Which was read a first time,

On motion by Mr. Lank,

The rule was suspended, the bill read a second time and referred to the Committee on Corporations.

By Mr. Pratt;

No. 148. A bill to change the name of Mount Wallston, in White county, to Norway.

By Mr. Crim;

No. 149. A bill to authorize Logan Brown and Eli Brown to erect and maintain a mill-dam across White river, in Madison county;

Which were each read a first time and passed to a second reading.

By Mr. Usher;

No. 150. A bill to amend article 1, and section 13, of the Revised Statutes;

Which was read a first time.

On motion by Mr. Davis of Scott,

The rule was suspended, the bill read a second time and referred to the committee on the Judiciary.

Mr. Pancake moved that the House adjourn.

Which motion did not prevail.

By Mr. Usher;

No. 151. A bill to amend the charter of the town of Terre Haute;

Which was read a first time.

On motion,

The rule was suspended, the bill read a second time and referred to the committee on Corporations.

On motion by Mr. Goodwin,

The House adjourned, to meet at two o'clock, P. M.

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2 o'clock, P. M.

The House met.

#### ORDERS OF THE DAY.

On motion,

The order of business was suspended.

Mr. Pratt introduced

No. 152. A bill to amend an act entitled "an act to incorporate the Lake Michigan, Logansport, and Ohio River Railroad Company," enacted by the General Assembly in February, 1848;

Which was read a first time.

On motion,

The rule was suspended, the bill read a second time and referred to the committee on Corporations.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution, to-wit :

*Resolved*, That the Senate will, the House of Representatives concurring, adjourn *sine die* on the 3d day of February next.

In which the concurrence of the House is respectfully requested.

On motion by Mr. Davis of Scott,

The resolution of the Senate was concurred in with the following amendment:



*Provided*, We have finished the business we were sent here to do.  
A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House with one amendment.

No. 71. An act to amend an act entitled "an act to incorporate the Western Plank Road Company," approved January 14, 1850.

In which amendment the concurrence of the House is respectfully requested.

Which amendment was concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof:

No. 35. An act for the relief of Alexis LeRoy, deceased.

No. 78. An act to amend an act therein named.

In which the concurrence of the House is respectfully requested.

#### SENATE BILLS ON FIRST READING.

No. 78. A bill to amend an act therein named;

Was read a first time.

On motion,

The rule was suspended, and the bill read a second time.

On motion,

The order of business was suspended, and

Mr. Morgan offered a remonstrance on that subject.

Mr. Morgan moved to refer the bill and remonstrance to the committee on Roads, with instructions to send for persons and papers.

Mr. Edwards called for a division of the question.

The question being first on committing the bill, was decided in the affirmative.

The question then being on the instructions, was decided in the negative.

No. 35. A bill for the relief of the widow and heirs of Alexis LeRoy, deceased;

Was read a first time and passed to a second reading.

## SENATE BILLS ON SECOND READING.

No. 98. A bill authorizing the Probate Judge of Hamilton to appoint an administrator on the estate of John S. Massey, deceased; Was read a second time and ordered to a third reading.

No. 38. A bill to legalize the election of the Treasurer of Madison county;

Was read a second time and referred to a select committee of three.

Mr. Usher offered the following amendment to the bill.

Amend by adding the following:

SEC. —. That the acts of the present Treasurer of said county, be and the same are hereby legalized, and said Treasurer shall account for all taxes by him heretofore collected, in the same manner as though this act had not been passed;

Which was adopted.

And the bill as amended was referred to the committee on the Judiciary.

No. 48. A bill to amend the charter of the Indianapolis and Bellefontaine Railroad Company;

Was read a second time and ordered to a third reading.

A message from the Governor, by Mr. Noel, Executive Messenger:

MR SPEAKER:

I am directed by the Governor to inform the House of Representatives that he has approved and signed the following bills:

No. 41. An act to authorize the Auditor of Clinton county to make to John Mohn a certificate of purchase for a certain tract of land in said county.

No. 67. An act to change the name of the town of Rochester in Franklin county, Indiana, to Cedar Grove.

No. 83. An act to provide for the return of the vote on the school law, to the office of the Secretary of State.

No. 2. An act to change the time of holding courts in the eighth judicial circuit.

No. 20. An act defining the duties of the County Treasurer of Lake county.

No. 28. An act to revive a certain act therein named.

No. 91. An act to correct a misprint and supply an omission in an act entitled, "an act directing the Secretary of State to make a patent to James Hensley, for certain Wabash and Erie Canal lands," approved January 21, 1850.

No. 56. A bill to locate a State road on the line dividing Wayne and Randolph counties;

Was read a second time,

On motion by Mr. Marshall,

The bill was referred to a select committee consisting of Messrs. Marshall, Lawrence and Lank.

No. 57. A bill to vacate the streets and alleys in the town of Fairview.

No. 62. A bill to amend section 29, of the act to incorporate the Fort Wayne and Columbia Plank Road Company.

Were each read a second time and ordered to a third reading.

#### HOUSE BILLS ON SECOND READING.

No. 117. A bill to reduce the fees of the Recorder of Greene county;

Was read a second time and ordered to be engrossed.

#### HOUSE BILLS ON THIRD READING.

No. 13. A bill to incorporate the Bluffton, Camden and Winchester Plank Road Company.

No. 53. A bill to incorporate the Peru and Andersontown Plank Road Company;

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 81. A bill to amend an act entitled an act to incorporate the Fort Wayne and Bluffton Turnpike Company, approved January 16, 1849;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 104. A bill to amend an act entitled an act changing the mode of doing business in the county of Crawford and for other purposes;

Was read a third time,

On motion by Mr. McKim,

Was referred to a select committee consisting of Messrs. McKim, Davis of Dubois and Peckenpaugh.

No. 119. A joint resolution of the General Assembly of the State of Indiana, relative to the improvement of the Falls of the Ohio river;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

## SENATE BILLS ON SECOND READING.

No. 63. A bill in relation to the suit of the Vincennes University against the State of Indiana;

Was read a second time,

On motion by Mr. Edwards,

Was referred to the committee on the Judiciary.

No. 64. A bill locating a State road on the line dividing the counties of Allen and DeKalb and for other purposes;

Was read a second time,

On motion by Mr. Bird,

The bill was laid upon the table.

No. 67. A bill to alter the time of holding the Circuit Courts in certain counties in the third Judicial Circuit;

Was read a second time,

On motion by Mr. Watts,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

## HOUSE BILLS ON SECOND READING.

No. 122. A bill exempting from taxation certain lands therein named for the term of five years, from and after their entry;

Was read a second time,

On motion by Mr. Hammond,

Was referred to the committee on Ways and Means.

Mr. Patterson of Marshall moved that the House adjourn.

Which motion did prevail.

On motion,

The order of business was suspended.

Mr. Willard from a select committee made the following report:

MR. SPEAKER:

The select committee to whom was referred Senate bill No. 30, an act relative to the Clark County Central Plank Road Company, have had the same under consideration, and have instructed me to return the same and recommend its indefinite postponement.

Which report was concurred in.

No. 123. A bill authorizing the President and Trustees of the town of Lafayette to purchase and hold real estate;

Was read a second time and ordered to be engrossed.

Mr. Shook, Chairman of the committee on Enrolled Bills, made the following report:

**MR. SPEAKER :**

The committee on Enrolled bills have examined the following, and find them correctly enrolled:

No. 5. An act to to incorporate the town of Vernon, Jennings county, Indiana.

No. 20. An act to abolish the offices of School Commissioner and County Agent, in Brown county.

No. 27. An act repeal an act entitled an act relative to overseers of the poor, approved January 15, 1844, so far as relates to the county of Clay.

Whereupon the Speaker signed the same.

Ordered that the clerk inform the Senate thereof.

Mr. Shook, chairman of the committee on Enrolled Bills made the following report:

**MR. SPEAKER :**

The committee on Enrolled Bills have compared the following and find them correctly enrolled:

No. 3. An act for the relief of John Henry Lewis Gerke, and Frederick Myers.

No. 23. An act entitled an act authorizing the commissioners of Fountain county to vacate a certain street in the town of Rob Roy, Fountain county.

No. 26. An act to revise the 61st section of an act to establish certain State roads therein named, and for other purposes, approved February 18th, 1839.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Coburn, chairman of the committee on Engrossed Bills, made the following report:

**MR. SPEAKER :**

The committee on Engrossed Bills report that they have examined bills numbered 103, 106, 108, 111, 113, and 104, and that they are correctly engrossed.

On motion by Mr. Goodwin,

The House adjourned to meet to-morrow morning, at 9 o'clock, A. M.

FRIDAY MORNING, January 17, 1851.

The House met.

The Journal of the preceding day was read and adopted.

The Speaker laid before the House the following communication :

OFFICE LAWRENCEBURGH AND U. M. R. R. Co., }  
*Lawrenceburgh, January 15, 1851.* }

SIR—Please lay before the House of Representatives the inclosed report as my answer to their resolution of the 5th instant.

Respectfully yours, &c.,

G. H. DUNN;

*President L. & U. M. R. R. Co.*

Mr. Brown of Shelby moved to lay the report referred to in the above communication on the table, and that 200 copies be printed.

Mr. Ross proposed 100 copies.

Mr. Clark proposed 500 copies.

The question being to print 500 copies,

Was decided in the negative.

The question then being on the proposition to print 200 copies,

Was decided in the negative.

Mr. Lewis moved to amend the proposition to print by adding;  
 “at the expense of the company.”

Which motion did not prevail.

The question then being on printing 100 copies,

Was decided in the negative.

On motion by Mr. Humphreys,

The report was laid on the table.

#### PETITIONS, MEMORIALS, &C., PRESENTED.

By Mr. Hosbrook ;

The petition of A. H. Davidson ;

Which,

On motion,

Was referred to the committee on Claims.

By Mr. Crawford ;

The memorial of the citizens of Decatur county, on the subject of  
 Temperance ;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Bird;

The petition of the citizens of Allen, Wells and Huntington counties, for the right to locate a State road in said counties;

Which,

On motion,

Was referred to the committee on Roads.

By Mr. Benson;

The petition of citizens of Warren county, concerning a State road in said county;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Benson, Harrison, and McMakin.

By Mr. Essex;

The petition of the citizens of the county of Bartholomew, concerning the pay of the auditor of said county by fees or otherwise;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Essex, Moore and Phillips.

By Mr. Essex;

The petition of the citizens of the town of Hope, in Bartholomew county, concerning the incorporation of said town.

Which,

On motion,

Was referred to a select committee consisting of Messrs. Essex, Moore and Phillips.

#### REPORTS FROM COMMITTEES.

Mr. Lank, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred the petition of Dempsey Linton and others, of Randolph county, have had the same under consideration, and have directed me to report the accompanying bill and respectfully recommend its passage:

No. 153. A bill for the relief of Dempsey Linton.

Which was read a first time.

On motion,

The rule was suspended, the bill read a second time, and,

On motion by Mr. Franklin,  
Referred to the committee on the Judiciary.

Mr. Peckenpaugh made the following report from a select committee:

**MR. SPEAKER:**

The select committee, to whom was referred Senate bill No. 15, have had the same under consideration, and direct me to return the same with the following amendment, and recommend its passage:

Add the names of Elias Grant and Joseph Mathers.

Which report was concurred in, and the bill ordered to a third reading.

Mr. Hammond, from the committee on Claims, made the following report:

**MR. SPEAKER:**

The committee on Claims, to whom was referred the petition of J. A. Underwood, upon the subject of Indiana State Bonds, have had the same under consideration, and have instructed me to report that it is inexpedient to grant the prayer of said petitioner.

Which report was concurred in.

#### RESOLUTIONS.

Mr. Graff offered the following resolution:

*Resolved*, That the committee on the State Bank be instructed to inquire into the expediency of authorizing the sale of the stock and interest that the State has directly or indirectly in the State Bank of Indiana; making the same payable in the cancelled bonds of the State.

Mr. Goodwin moved to lay the resolution on the table.

Which motion did not prevail.

The question then recurring on the adoption of the resolution, was decided in the affirmative.

Mr. Walls offered the following resolution:

*Resolved*, That the committee on the Judiciary be requested to inquire into the expediency of abolishing the grand jury system, or so modifying the same that a grand jury shall only be necessary in capital offences; and report by bill or otherwise.

Which was not adopted.



## JOINT RESOLUTIONS INTRODUCED.

By Mr. Hosbrook;

No. 154. A joint resolution relative to the Governor's circle and building;

Was read a first time.

Mr. Hosbrook moved to suspend the rule and read the joint resolution a second time.

Which motion did not prevail.

On motion,

The order of business was suspended.

Mr. Chapman, from a select committee, made the following report:

MR. SPEAKER:

The select committee on the arrangement of the Representative Hall, have directed me to report that they have procured a carpet for said Hall, which is now ready to be fitted and put down.

## BILLS INTRODUCED.

By Mr. Bradley;

No. 155. A bill to revive and extend the provisions of "an act to incorporate the town of Anderson," approved February 17, 1849;

Which was read a first time and passed to a second reading.

By Mr. Goodwin;

No. 156. A bill to amend an act entitled an act to amend an act to incorporate the Ohio and Mississippi Railroad Company, approved January 15, 1849, so far as relates to the county of Daviess;

Which was read a first time.

On motion,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. Thorn,

Referred to the same select committee to whom was referred Senate bill No. 29, on the same subject.

By Mr. Bulla;

No. 157. An act to extend the time of the sessions of the Board of Commissioners of Wayne county;

Which was read a first time.

On motion,

The rule was suspended, the bill read a second and third times and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Goodwin;

No. 158. A bill to repeal an act therein named;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended.

Mr. Bradley made the following report from a select committee :

MR. SPEAKER :

The committee to whom was referred the petition of Peter H. Leaman and others, praying the passage of an act to revive an act to incorporate the town of Anderson, &c., approved February 17, 1849, have had that subject under consideration, and directed me to report the following bill and recommend its passage :

No. 157. A bill for the relief of George Cort ;

Which was read a first time and passed to a second reading.

On motion by Mr. Usher,

Joint resolution of the Senate,

No. 54. A joint resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county, Indiana ;

Was taken from the table and ordered to a third reading.

#### HOUSE BILLS ON THIRD READING.

No. 103. A bill relative to the three per cent. fund.

No. 111. An act amendatory of the "act incorporating the townships of Dearborn county, so as to authorize the board of county Commissioners of said county to establish additional election precincts if they deem it expedient ;

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Bill of the Senate,

No. 43. A bill relative to the Jeffersonville Association ;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

#### HOUSE BILLS ON SECOND READING.

On motion by Mr. Willard, House bill,

No. 59. A bill to amend section 17, chapter 35, of the Revised Statutes of 1843 ;

Was taken from the table.

Mr. Patterson of Tipepecanoe moved to recommit the bill to the committee on the Judiciary with instructions to strike out that part of the bill which makes its "retrospective."

Mr. Marvin moved to indefinitely postpone the bill;  
Which motion did not prevail.

Mr. Chapman moved to postpone the bill until January 1st, 1852.  
The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Mesrs. Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Carr, Caylor, Chapman, Crawford, Crim, Davis of Dubois, Donaldson, Elkins, Essex, Franklin, Gentry, Harris, Hicks, Humphreys, Hutchinson, Isom, Johnston, Lawrence, Lindsey, Marquess, Marshall, Marvin, McClelland, McKim, McMakin, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Shook, Shull, Simler, Schwartz, Swihart of Wabash, Thorn, Walls, Watson, Watt, Watts and Wittenmeyer—48.

*Those who voted in the negative were,*

Messrs. Benson, Campbell, Clark, Coburn, Cowan, Cox, Davis of Scott, Edwards, Fleece, Goodman, Goodwin, Graff, Hall, Hamilton, Hammond, Haywood, Hosbrook, Hubbard, Jackson, Jones, Jordan, Lank, Lewis, Mercer, Millikan, Moore, Morrow, Peckenpaugh, Phillips, Pratt, Reynolds, Rice, Riley, Robbins, Ross, Stayner, Stone, Swihart of Huntington, Thompson of Carroll, Thompson of Delaware, Usher, Willard, Williamson, Wilson, Withers, and Mr. Speaker—46.

So the bill was postponed till the first day of January, 1852.

On motion by Mr. Ross,

The House adjourned until 2 o'clock, P. M.

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2 o'clock, P. M.

The House met.

On motion by Mr. Edwards,

The special order of the day was taken up.

No. 80. A bill to exempt from sale on execution the homestead of a Householder having a family;

Was read a second time.

Mr. Edwards moved to amend by adding the following:

Amend by adding after the word "lot" in the fourth line the words,  
1. "Or farming lands or other real estate."

Amend by adding at the end of the first section the following words:

2. "In case any debtor having a family, and not being the owner of a lot, or farming land, or real estate other than buildings thereupon, he shall have personal property to the value of five hundred dollars, exempt by law from sale under execution, for debts hereafter contracted on the same terms, as said debtor may hold lots or other real estate exempt from execution as is provided in this act.

Amend by adding at the end of the second section the following proviso:

3. *Provided nevertheless*, That the provisions of this act, shall not exempt and apply to liens of artizans, mechanics, tradesmen, and bailees in the cases prescribed in article 3, chapter 42, of Revised Statutes of 1843.

Mr. Goodwin moved to amend the amendment by adding the following:

And that the one hundred and twenty-five dollars now exempt by law, be and the same is hereby repealed;

Which was not adopted.

Mr. Willard moved to amend by adding in the proper place in the second amendment, "within or without this State;"

Which was adopted.

Mr. Chapman called a division of the question, so that the amendments should be voted on separately.

The question was then put on the adoption of the first amendment, proposed by Mr. Edwards, and decided in the affirmative.

Mr. Hamilton moved the following amendment to the second amendment:

Strike out 500 and insert 300 dollars;

Which motion did not prevail.

On motion by Mr. Bradley,

The amendmend was amended by striking out the words, "occupied as a residence."

The question then being on the adoption of the second amendment, Was decided in the affirmative.

The question was then put on the adoption of the third amendment, and decided in the negative.

Mr. Robbins offered the following amendment to the bill:

Amend by providing for the repeal of all laws now in force, as requires "no goods and chattels, or lands, or tenements of any execution debtor shall be sold on execution, is sued out of any court of record for less than two-thirds of the fair value thereof, at the time of such sale; exclusive of all liens, mortgages, and incumbrances thereon."

Which was adopted.

Mr. Humphreys offered the following amendment:

7th section, after the word "1852:" *Provided*, the qualified voters of Indiana, at the next annual August election, shall approve the same.

The question being on the adoption of the amendment,  
The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Benson, Bird, Blue, Brown of Pike, Bulla, Campbell, Carr, Clark, Davis of Dubois, Davis of Scott, Donaldson, Elkins, Essex, Franklin, Gentry, Goodwin of Daviess, Hamilton, Hammond, Haywood, Hicks, Hosbrook, Houghman, Hubbard, Humphreys, Jackson, Lank, Lawrence, Lindsey, Marquess, Marvin, McClelland, McKim, Moore, Morgan, Nelson, Painter, Pancake, Peckenpaugh, Phillips, Shook, Shull, Simler, Stayner, Swihart of Wabash, Thorn, Walls, Watson, Watts, Williamson, Wilson, and Wittenmeyer—51.

*Those who voted in the negative were,*

Messrs. Bradley, Brown of Shelby, Caylor, Chapman, Coburn, Cowan, Cox, Crawford, Crim, Edwards, Fleece, Goodman of Vigo, Graff, Hall, Harris, Hutchinson, Isom, Johnston, Jones, Jordan, McMakin, Mercer, Millikan, Morrow, Patterson of Marshall, Patterson of Tippecanoe, Pratt, Reynolds, Rice, Riley, Robbins, Ross, Stone, Schwartz, Swihart of Huntington, Thompson of Carroll, Thompson of Delaware, Usher, Watt of Union, Willard, Withers, and Mr. Speaker—42.

So the amendment was adopted.

Mr. Stone offered the following amendment:

*Provided*, that in case the judgment debtor shall not have personal or real estate to the amount specified in this act, the deficiency shall be paid to him or her out of the State Treasury.

Mr. McMakin moved to amend the amendment, by adding—

"This act shall apply to widows and orphans only."

Mr. Jones moved to lay the amendment, and the amendment to the amendment on the table;

Which motion prevailed.

Mr. Brown of Shelby, moved to indefinitely postpone the bill.

The question then being,

"Shall the bill be indefinitely postponed?"

The ayes and noes being demanded by Messrs. Brown of Shelby, and Ross,

*Those who voted in the affirmative, were,*

Messrs. Benson, Brown of Pike, Brown of Shelby, Bulla, Campbell, Carr, Caylor, Clark, Cox, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Essex, Fleece, Franklin, Goodman, Goodwin, Graff, Hamilton, Hammond, Harris, Haywood, Hicks, Hough-

man, Hubbard, Isom, Jackson, Johnston, Lawrence, Marshall, Marvin, McClelland, McKim, McMakin, Morrow, Nelson, Painter, Phillips, Rice, Riley, Robbins, Shook, Shull, Simler, Stone, Schwartz, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Walls, Watson, Watt of Union, and Wittenmeyer—55.

*Those who voted in the negative were,*

Messrs. Bird, Blue, Bradley, Chapman, Coburn, Cowan, Edwards, Elkins, Gentry, Hall, Hosbrook, Humphreys, Hutchinson, Jones, Jordan, Lank, Lindsey, Marquess, Mercer, Millikan, Moore, Morgan, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Peckenaugh, Pratt, Reynolds, Ross, Stayner, Swihart of Huntington, Thorn, Usher, Watts, Willard, Williamson, Wilson, Withers, and Mr. Speaker—39.

So the bill was indefinitely postponed.

On motion,

The order of business was suspended, and

Mr. Chapman, from the committee on the arrangement of the Representatives Hall, made the following report:

**MR. SPEAKER:**

The select committee on the arrangement of the Representative Hall, have directed me to report:

That for the purpose of repairing and arranging said Hall for the preservation of the health of the members of this House it is absolutely necessary that the House adjourn for the period of two days. That in the opinion of this committee the legislative business of the House will not be delayed by such adjournment, as it will enable the different committees to perfect much business now awaiting their action.

The committee, therefore, recommend the adoption of the following resolution:

*Resolved*, That when this House adjourns it will adjourn to Monday next, at 2 o'clock, P. M.

Which was adopted.

Mr. Coburn, chairman of the committee on Engrossed Bills, made the following report:

**MR. SPEAKER:**

The committee on Engrossed Bills have examined bills Nos. 123, 117, 78, 47, 14, 8, 60, 144, 31, 97, 13, and report that they are correctly engrossed.

Mr. Jones moved that the House adjourn.

Which motion did not prevail.

No. 121. A bill to amend an act entitled an act to provide for the call of a Convention of the people of the State of Indiana to revise, amend, or alter the Constitution of said State, approved January 18th, 1850.

On motion by Mr. Marvin,

Leave was given him to withdraw the *buncomb amendment* to the bill.

Mr. Millikan moved that the bill be indefinitely postponed.

On motion by Mr. Goodwin.

A call of the House was ordered.

On motion by Mr. Patterson of Tippecanoe,

Leave of absence was granted Mr. O'Neal.

On motion by Mr. Patterson of Marshall,

Leave of absence was granted Mr. Harrison.

On motion by Mr. Hammond,

Leave of absence was granted Mr. McCarty.

On motion of Mr. Bird,

A further call of the House was dispensed with.

On motion by Mr. Goodwin,

The House adjourned.

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MONDAY, 2 o'clock, P. M., January 20, 1851.

The House met.

The Journal of Friday the 17th, was read and adopted.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has receded from the 2d, 3d, 4th, and 5th engrossed amendments of the Senate to engrossed bill of the House.

No. 69. An act to reduce the fees of the Recorder of the county of Brown.

A message from the Senate by Mr. Emerson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the amendment of the House to the resolution of the Senate providing for an adjournment of the present General Assembly, *sine die*, on the 3d day of February next.

A message from the Senate by Mr. Emerson their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the engrossed amendments of the House to engrossed bills of the Senate

No. 77. An act to repeal a certain act therein named.

No. 27. An act to increase the per diem allowance of the Probate Judges of the counties of Union, Fayette, Rush, and Hendricks.

A message from the Senate by Mr. Emerson their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House without amendment.

No. 42. An act to legalize the election of the County Commissioners of the county of Owen.

No. 64. An act to enable the inhabitants of school district No. 8, in Congressional township No. 36, north of range No. 3 west, in Laporte county, to levy a tax sufficient to build a school house.

No. 72. An act to amend section 27, chapter 7, of the Revised Statutes of 1843, so far as relates to the county of Greene.

No. 75. An act to repeal an act therein named, so far as the same relates to the counties of Parke and Shelby.

No. 77. An act to vacate the town of Charleston, in Huntington county.

No. 120. An act requiring the supervisors to settle with the township trustees, in the county of Wells.

#### PETITIONS, MEMORIALS, &C.

By Mr. Dumont;

The memorial of the ladies and gentlemen of the county of Dearborn, on the subject of temperance.

Which,

On motion,

Was referred to the committee on Temperance.



By Mr. Schwartz;

The petition of ladies and gentlemen in the county of Clark, on the subject of temperance.

Which,

On motion,

Was referred to the committee on Temperance.

On motion by Mr. Williamson,

Mr. McCarty was added to the committee on Temperance.

By Mr. McCarty;

The memorial of the ladies and gentlemen of the county of Putnam, on the subject of temperance.

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Hamilton;

The petition of the citizens of the county of Jackson, concerning the county line between the counties of Lawrence and Jackson;

Which,

On motion,

Was referred to a select committee of three, consisting of Messrs. Hamilton, Isom and Campbell.

By Mr. Cowan;

The petition of the citizens of the county of White, on the subject of the sale of certain school lands therein named;

Which,

On motion,

Was referred to a select committee of three, consisting of Messrs. Cowan, Harrison and Patterson of Marshall.

By Mr. Bulla;

The petition and remonstrance of the citizens of the town of Hagerstown, concerning the corporate limits thereof;

Which,

On motion,

Was referred to the committee on Corporations.

On motion,

The order of business was suspended, and,

Mr. Willard, chairman of the committee of Ways and Means, made the following report:

MR. SPEAKER:

The committee of Ways and Means, to whom was referred that part of the Governor's message which relates to a new assessment of property, have had the same under consideration, and instructed me to report the accompanying bill and recommend its passage, and they ask to be discharged from further consideration of the subject:

No. 160. A bill for the more effectual, just and equal assessment

and valuation of the real estate, personal property, moneys, rights, credits, effects, and corporation stock in the State of Indiana.

Which was read a first time,

On motion,

The rule was suspended; the bill read a second time.

Mr. Willard moved to lay the bill on the table and print three hundred copies.

Mr. Humphreys proposed 100 copies.

Mr. Coburn proposed 500 copies.

The question being on the printing of 500 copies,

Was decided in the negative.

The question then recurring on the printing of 300 copies,

Was decided in the affirmative.

On motion by Mr. Willard,

The committee on Ways and Means were excused from attendance at the Hall of the House this afternoon.

By Mr. Patterson of Marshall;

The petition of citizens of Marshall county, on the subject of a road tax in the county of Marshall;

Which,

On motion,

Was referred to a select committee of three, consisting of Messrs. Patterson of Marshall, Cowan and Blue.

By Mr. Bird;

The petition from the citizens of Allen and Huntington counties, on the subject of roads and drains;

Which,

On motion,

Was referred to the committee on the Judiciary.

By Mr. Usher;

The petition of the citizens of the county of Vigo, praying the passage of an act authorizing said county to vote again upon the adoption of the school law;

Which,

On motion,

Was referred to a select committee of three, consisting of Messrs. Usher, Edwards and Goodwin.

By Mr. Edwards;

A petition on the same subject;

Which,

On motion,

Was referred to the same select committee.

By Mr. McMakin;

The petition of the citizens of the counties of Boone and Montgomery, on the subject of temperance;

Which,

On motion,

Was referred to the committee on Temperance.

On motion by Mr. Thorn,

Leave was granted to withdraw the temperance petition of the citizens of the county of Knox, now on the files of the last session of the General Assembly.

On motion by Mr. Pratt,

Leave was granted to withdraw the petition of Joshua Coutiers, for a divorce, from the files of the House.

On motion by Mr. Graff,

Leave was granted to withdraw the petition of Alexander Mitchell for the impeachment of ———, from the files of the House.

By Mr. Shull;

The petition of the citizens of the counties of Jay and Adams on the subject of locating a State road;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Shull, Morrow, and Elkins.

#### BILLS INTRODUCED.

By Mr. Shull;

No. 161. A bill authorizing the sale of section 16, in Congressional township 24, north of range 12 east, in Jay and Blackford counties;

Which was read a first time and passed to a second reading.

By Mr. Reynolds;

No. 162. An act in relation to the South Bend and Plymouth Plank Road Company;

Which was read a first time and passed to a second reading.

By Mr. Nelson;

No. 163. A bill to incorporate the Pittsburgh and Crawfordsville Plank Road Company;

Which was read a first time.

On motion,

The rule was suspended, the bill read a second time and referred to the committee on Corporations.

By Mr. Millikan;

No. 164. A bill relating to the recording of deeds in Laporte county.

By Mr. Graff;

No. 165. A bill to amend chapter 7, article 1, section 2, of the Revised Code;

Which were each read a first time and passed to a second reading.

By Mr. Thorn;

No. 166. A bill to reduce the fees of the Clerk of the Probate Court of the county of Knox;

Which was read a first time.

On motion,

The rule was suspended, the bill read a second time and referred to the select committee of three, consisting of Messrs. Thorn, Goodwin, and Graff.

By Mr. Goodwin;

No. 167. A bill to repeal section 66, of article 5, chapter 12, of Revised Laws of 1843, and for other purposes therein named;

Which was read a first time.

On motion,

The rule was suspended, the bill read a second time and referred to the committee on the Judiciary.

By Mr. Patterson of Tippecanoe;

No. 168. A bill authorizing the Lafayette Insurance Company to increase their capital stock.

By Mr. Millikan;

No. 169. A bill to secure the return of executions issued by Justices of the Peace.

By Mr. Cowan;

No. 170. A bill declaring a certain road therein named a State road;

Which were severally read a first time and passed to a second reading.

By Mr. Pratt;

No. 171. A bill to amend an act entitled an act to incorporate the Logansport and Wabash Bridge Company, approved February 7, 1835;

Which was read a first time and passed to a second reading.

By Mr. Haywood;

No. 172. A bill to extend the jurisdiction of Justices of the Peace in civil cases;

Which was read a first time.

On motion,

The rule was suspended, the bill read a second time and ordered to be engrossed.

On motion,

The order of business was suspended, and

Mr. Peckenpaugh offered the following resolution:

*Resolved*, That the members of this House are not permitted to go into the stationery room and pack out public documents by the quantity; but that the Door-keeper of the House be instructed to distribute them around equally to each member at their desks.

Mr. Goodwin moved to amend by striking out "by the quantity." Which amendment was adopted.

On motion by Mr. Goodwin,

The resolution was laid on the table.

By Mr. Dumont;

No. 173. A bill for the relief of Andrew Morgan, of Dearborn county;

Which was read a first time.

On motion,

The rule was suspended, the bill read a second time and referred, with a communication from the Auditor of State and a transcript of judgment in the case of Andrew Morgan versus the State of Indiana, with instructions to send for persons and papers, to the committee on Claims.

By Mr. Dumont;

No. 174. A bill to authorize the building of a bridge across Laughery creek, by Andrew Morgan;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended, and

Mr. Graff offered the following resolution:

*Resolved*, That the Judiciary committee be instructed to enquire into the expediency of so amending chapter 24, article 2, section 17, of the Revised Statutes, so that in all cases contemplated by the said section 17, no indictment shall be quashed, or deemed invalid if the accusation shall be set forth therein with reasonable certainty and in such language as may be sufficient to inform the accused of the charge preferred against him;

Which was adopted.

On motion,

The order of business was suspended, and

Mr. Goodwin offered the following resolution:

*Resolved*, That the committee on the Judiciary inquire into the constitutionality of the law allowing voters to vote for or against license to sell spirituous liquors, &c.;

Which was adopted.

On motion,

The order of business was suspended, and

Mr. Lewis offered the following resolution:

*Resolved*, That the Judiciary committee be instructed to report a bill to repeal all special acts either increasing or decreasing the fees and salaries of officers, so that fees and salaries may be uniform throughout the State.

Mr. McClelland moved to strike out "instruct" and insert "inquire into the expediency of;"

Which was accepted by the mover.

The resolution as amended was adopted.

Mr. Ross moved to take from the table House bill No. 35 ;  
Which was decided in the negative.

#### ORDERS OF THE DAY.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof ;  
No. 65. An act to incorporate the Sparta and Versailles Turnpike Company.

No. 73. An act to amend an act to incorporate the Ohio River and Princeton Plank Road Company.

No. 55. An act to incorporate the Columbia, Oswego and Leesburgh Plank Road Company.

No. 105. An act to change the time of holding Probate courts in the county of Vermillion ;

In which the concurrence of the House is respectfully requested.

Nos. 65, 73 and 55 were severally read a first time and passed to a second read.

No. 105 contained in the foregoing message was read a first time,

On motion by Mr. Wittenmeyer,

The rule was suspended, the bill read a second and third times and passed.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary.

MR. SPEAKER:

I am requested by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof:

No. 93. An act to repeal an act therein named.

No. 94. An act to amend an act entitled an act to restrict the County Commissioners of Steuben county, in levying a tax to fifty cents, on the one hundred dollars valuation, approved January 16, 1848.

In which the concurrence of the House is respectfully requested.

The bills contained in the foregoing message were each read a first time and passed to a second reading.

The question being at the last adjournment on the indefinite postponement of bill,

No. 121. A bill to amend an act entitled, " an act to provide for

the call of a Convention of the people of the State of Indiana to revise, amend or alter the Constitution of said State," approved January 18, 1850.

Mr. Hicks moved a call of the House.

On motion by Mr. Hall,

Leave of absence was granted Mr. Cox.

On motion by Mr. Lewis,

A further call of the House was dispensed with.

On motion by Mr. Lewis,

The bill was laid on the table.

#### HOUSE BILLS ON SECOND READING.

No. 126. A bill to amend an act entitled, "an act to incorporate the Terre Haute Draw Bridge Company," approved January 13, 1845.

No. 127. A bill to amend "an act to incorporate the Madison County Hydraulic Manufacturing Company ;

Were read a second time and ordered to be engrossed.

No. 128. A bill to amend an act to declare certain Water courses in the counties of Perry and Spencer, public highways, and for other purposes, approved January 17, 1850 ;

Was read a second time,

On motion by Mr. McKim,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 130. A bill to compel a license to be paid by the vender of patent or secret medicines ;

Was read a second time, and

On motion by Mr. Lewis,

Was referred to a select committee of three, consisting of Messrs. Lewis, Hutchinson and Simler.

No. 132. A bill to vacate part of the road leading from Harrison to Indianapolis ;

Was read a second time, and

On motion by Mr. Franklin,

The bill was referred to the committee on Roads, with instructions to enquire if the County Commissioners have not power to make the proper adjustment.

No. 131. A bill authorizing County Auditors to charge a fee for the acknowledgment of deeds ;

Was read a second time, and,

On motion by Mr. Humphreys,

Referred to the committee on the judiciary.

No. 131. A bill for the relief of borrowers of the Sinking Fund, Surplus Revenue, and other public funds ;

Was read a second time.

On motion by Mr. Franklin,  
The bill was referred to the committee on the Judiciary.

#### SENATE BILLS ON SECOND READING.

No. 50. A bill to incorporate the Liberty and Miami Rail Road Company;

Was read a second time.

On motion by Mr. Edwards,

The bill was referred to the committee on Corporations.

No. 68. A bill legalizing a certain deed of conveyance, heretofore made and executed by the County Auditor of Perry county, to William Elder;

Was read a second time and ordered to a third reading.

#### HOUSE BILLS ON THIRD READING.

No. 8. A bill to provide for electing Supervisors by districts, in the counties of Wells, Allen, Noble, Steuben, Miami, Henry, La-grange, Tipton, Clinton, and Harrison;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 14. A bill defining the duties of County Treasurer of Pike, Delaware, Floyd, Daviess, Elkhart, Tipton, Sullivan, Noble, Martin, Washington, Marshall, Fulton, Starke, Clinton, Scott, Randolph, and Johnson counties;

No. 47. A bill in relation to the election and appointment of Constables;

No. 60. A bill relative to Plank Roads;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 31. A bill relative to the Laporte and Plymouth Plank Road Company;

Was read a third time.

On motion by Mr. Bradley,

The bill was referred to the committee on Corporations, with the following instructions:

Amend the first section so that persons coming on to said road, in Marshall county, and traveling along the same to the town of Laporte, or coming on said road at Laporte, and traveling along the same to Marshall county, shall not be required to pay extra toll for crossing said bridge.

No. 78. A joint resolution in relation to the Bounty Land Law of Congress of September 28th, 1850;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.



No. 97. A bill relative to the practice of the law ;

No. 117. A bill to reduce the fees of the Recorder of Greene county ;

No. 123. A bill authorizing the President and Trustees of the town of Lafayette, to purchase and hold real estate ;

No. 144. A bill to change the time of holding the February term of the Crawford Probate Court ;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

#### SENATE BILLS ON THIRD READING.

No. 9. An act authorizing the Probate Judge of Hamilton county, to appoint an Administrator on the estate of John S. Massey, deceased ;

No. 48. A bill to amend the charter of the Indianapolis and Bellefontaine Rail Road Company ;

No. 57. A bill to vacate the streets and allies in the town of Fair View, Montgomery county ;

No. 62. A bill to amend section 29, of the "act to incorporate the Fort Wayne and Columbia Plank Road Company ;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Bird,

Senate bill, No. 64. A bill locating a State road on the line dividing the counties of Allen and DeKalb, and for other purposes ;

Was taken from the table and placed on file.

#### HOUSE BILLS ON SECOND READING.

No. 136. An act to change the names of persons therein named ;

No. 137. A bill to repeal an act entitled an act to locate a State road in the counties of Decatur, Jennings, and Bartholomew. Approved January 5, 1849 :

No. 138. A bill to locate a State road in the counties of Pulaski, Starke, and Laporte ;

No. 139. A bill to locate a State road in the counties of Hamilton, Tipton and Howard.

No. 140. A bill to legalize certain acts of the Henry County Turnpike Company, and for other purposes.

Were severally read a second time and ordered to be engrossed.

No. 142. A bill to regulate the sale of spirituous liquors in Jackson county, Indiana ;

Was read a second time and ordered to be engrossed.

No. 148. A bill to change the name of Mount Wallaston, in White county, to Norway ;

Was read a second time,

On motion by Mr. Pratt,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 149. A bill to authorize Lloyd Brown and Eli Brown to erect and maintain a milldam across White river, in Madison county;

Was read a second time and ordered to be engrossed.

No. 35. An act for the relief of the widow and heirs of Alexis LeRoy, deceased;

Was read a second time.

Mr. Pratt moved to refer the bill to the committee on the Judiciary.

On motion by Mr. Thorn,

The bill was indefinitely postponed.

No. 54. A joint resolution relative to the claim of Col. Francis Vigo, late of Knox county, Indiana;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 154. A joint resolution relative to the Governor's circle and building;

Was read a second time, and,

On motion,

Was referred to the committee on Public Buildings.

No. 155. A bill to revise and extend the provisions of an act to incorporate the town of Anderson, approved February 17, 1849.

No. 158. A bill to repeal an act therein named.

Were each read a second time and ordered to be engrossed.

No. 159. A bill for the relief of George Cost;

Was read a second time,

On motion by Mr. Bradley,

The bill was referred to the committee on the Judiciary.

A message from the Senate by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House without amendment:

No. 73. An act to amend an act entitled an act to incorporate the White County Monticello Bridge Company, approved January 15, 1850.

No. 139. An act to vacate a part of Water street, in the town of Williamsport, in the county of Warren, and State of Indiana.

No. 101. An act to amend an act entitled an act to incorporate certain turnpike companies therein named, approved January 29, 1839.

A message from the Senate by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representa-

tives, that the Senate has concurred in the resolution of the House, requesting the Senate to return to the House the following engrossed bill of the Senate :

No. 14. An act to abolish the office of County Auditor, in Ohio county,

And have directed me to return the same to the House.

Ordered that the Clerk retain the bill till further orders.

On motion by Mr. Nelson,

The House adjourned to meet to-morrow morning at 9 o'clock.

**TUESDAY MORNING, January 21, 1851.**

The House met.

The Journal of the preceding day was read and adopted.

A message from the Senate by Mr. Emerson their Secretary:

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following joint resolution of the House, without amendment :

No. 92. A joint resolution giving the right of purchase to the United States, a site for the erection of a Marine Hospital at Evansville, Indiana.

**PETITIONS, MEMORIALS, &c.**

By Mr. Willard ;

Three petitions of the citizens living on the line of the Vincennes turnpike, concerning the improvement or the relinquishment of the road by the State ;

Which,

On motion by Mr. Willard,

Was referred to a select committee of seven, consisting of Messrs. Willard, Simler, Painter, Campbell, Rice, Goodwin, and Thorn.

By Mr. Caylor ;

The petition of James Fagans ;

Which,

On motion by Mr. McMakin,

Was referred to the committee on Benevolent and Scientific Institutions.

By Mr. Hosbrook ;

The petition for amendments to the charter of the Central Plank Road Company ;

Which,

On motion,

Was referred, with the accompanying documents, to the committee on Corporations.

By Mr. Moore ;

The petition of the citizens of Newbern, Bartholomew county, respecting the amendment of an act therein named ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Moore, Shook, and Essex.

By Mr. Shull ;

The petition of citizens of Jay county on the subject of changing roads in the county of Jay ;

Which,

On motion,

Was referred to the committee on Roads.

#### REPORTS OF COMMITTEES.

Mr. Pratt, from the committee on the Judiciary, made the following report :

**MR. SPEAKER :**

The committee on the Judiciary, to whom was referred House bill No. 88, entitled "an act to amend sections 302, 303, and 304, of article 13, chapter 47, Revised Statutes 1843," have had the same under consideration, and directed me to report the same back with sundry amendments, and to recommend its passage.

Amend the title of the bill so as to read,

An act to amend sections 302, 303, and 304, of article 13, chapter 47, Revised Statutes of 1843; also, section 2, of chapter 61, on pages 1030, 1031, and 1032, of Revised Statutes of 1843, and for other purposes.

Amend in the 2d line of the 1st section by substituting "are" for "is."

Amend the 3d line of the 1st section by inserting after "constable" "or other officer."

Amend by styling the 2d section the 3d section, and by inserting the following as the 2d section:

SEC. 2. *Be it further enacted*, That the provisions of the foregoing section are hereby extended to all warrants issued by any Justice of the Peace for the apprehension of any person charged with being the father of a bastard child born or expected to be born. If the person so charged escapes from the county wherein the charge is made, it is hereby made lawful for the officer holding the warrant for his apprehension, or from whose custody such person may have escaped, to follow any such person into any county of this State and arrest or recapture him, as the case may be, and take him to the county from which he may have fled or made his escape.

Amend the body of the 3d section by inserting "sections" for "section."

Mr. Chapman called a division of the question, so as to vote on the amendments separately.

The amendments as reported by the committee, were severally adopted, and the bill ordered to be engrossed.

Mr. Pratt, from the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee, to whom was referred House bill No. 143, have had the same under consideration, and directed me to report the same back to the House and recommend its indefinite postponement.

No. 143. A bill to amend the practice of law in chancery.

Which was concurred in.

Mr. Pratt, from the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee, to whom was referred the petition of John Heiney and other citizens of Huntington county, praying for a grant to the said John Heiney and his assigns, of the privilege of erecting and keeping a dam across the Salamoniam river at or near the saw mill now in process of erection, and on the lands of the said John Heiney, not exceeding six feet in height, have had the subject under consideration, and have directed me to report the accompanying bill, and recommend its passage.

No. 175. A bill authorizing John Heiney to build a mill-dam across the Salamoniam river.

Which was read a first time and passed to a second reading.

Mr. Williamson, from the committee on the Judiciary, made the following report:

MR. SPEAKER :

The committee on the Judiciary, to whom was referred House bill No. 107, entitled "a bill in relation to the election of Prosecuting Attorneys," have had the same under consideration, and instructed me to report the same back with the following amendments, and when so amended, recommend its passage.

Amend by striking out of the 2d section the following words where they consecutively occur: "From and after the passage of this act," and insert the following:

And that an election for Prosecuting Attorney shall be held in each Judicial Circuit in this State at the next general election, under the provisions of the act in this section specified; but nothing herein contained shall be so construed as to prevent any Prosecuting Attorney elected in any county of said circuits from holding his office until said general election, and until his successor shall be elected and qualified. And it shall not be required of the Prosecuting Attorney herein provided to be elected, to appear before Justices of the Peace and prosecute offences against the State.

Amend by adding at the end of the 3d section the following words:

All laws or parts of laws coming in conflict with the provisions of this act, be, and the same are hereby repealed.

*Provided*, The provisions of this act shall not interfere with the present Prosecutor of the Fourth Judicial Circuit, for the term for which he was elected.

Which report was concurred in.

Mr. Humphreys moved to exempt the county of Greene.

Which was decided in the negative.

Mr. Humphreys moved to exempt the 10th Judicial Circuit;

Which was decided in the negative.

Mr. Bird moved to except the 12th Judicial Circuit;

Which was decided in the negative.

Mr. McMakin moved to amend the bill by exempting the 8th Judicial Circuit;

Which was decided in the negative.

Mr. Gentry moved to exempt the county of Monroe;

Which was decided in the negative.

Mr. Robbins moved to exempt the county of Parke;

Which was decided in the negative.

Mr. Benson moved to except the first Judicial Circuit;

Mr. Edwards moved a call of the previous question;

Which was seconded by the House.

The question then being,

"Shall the main question be now put?"

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Campbell, Carr, Caylor, Chapman, Clark, Coburn, Conner, Cowan, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Elkins, Essex, Fleece, Goodman, Goodwin, Graff, Hall, Haywood, Hosbrook, Hubbard, Hutchinson, Isom, Jackson, Johnston, Jones, Lank, Lawrence, Lewis, Lindsey, Marshall, McCarty, McKim, Moore, Morgan, Morrow, Patterson of Marshall, Peckenpaugh, Phillips, Pratt, Reynolds, Rice, Riley, Ross, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thorn, Usher, Walls, Watt, Watts, Willard, Williamson, Wilson, Withers, and Wittenmeyer—70.

*Those who voted in the negative were,*

Messrs. Benson, Bird, Franklin, Gentry, Hamilton, Hammond, Harris, Hicks, Humphreys, Jordan, Marquess, Marvin, McClelland, McMakin, Mercer, Millikan, Nelson, Painter, Pancake, Robbins, Thompson of Delaware, and Mr. Speaker—22.

So the main question was ordered to be now put.

The main question being,

"Shall the bill be engrossed?"

The ayes and noes being demanded by Messrs. Chapman and Goodwin,

*Those who voted in the affirmative were,*

Messrs. Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Campbell, Carr, Caylor, Clark, Coburn, Conner, Cowan, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Essex, Fleece, Goodman, Goodwin, Graff, Hall, Haywood, Hosbrook, Isom, Johnston, Jones, Lank, Lawrence, Lindsey, Marshall, McCarty, McKim, Mercer, Moore, Morgan, Morrow, Patterson of Marshall, Peckenpaugh, Pratt, Rice, Riley, Ross, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thorn, Usher, Walls, Watt, Watts, Willard, Williamson, Wilson, Withers, and Wittenmeyer—63.

*Those who voted in the negative were,*

Messrs. Bird, Chapman, Elkins, Franklin, Gentry, Hamilton, Hammond, Harris, Hicks, Hubbard, Humphreys, Jackson, Jordan, Lewis,

Marquess, Marvin, McClelland, McMakin, Millikan, Nelson, Painter, Pancake, Phillips, Reynolds, Robbins, Thompson of Delaware, Watts, and Mr. Speaker—28.

So the bill was ordered to be engrossed.

Mr. Edwards from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred a resolution of the House, instructing them to enquire into the expediency of amending the law, limiting the returns of executions issued by Justices of the Peace, have considered the same and instructed me to report the following bill, and recommend its passage:

No. 76. A bill making executions issued by Justices, returnable in 120 days;

Which was read a first time and passed to a second reading.

Mr. Pratt from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred to the following resolution, to-wit:

On motion by Mr. Pratt,

*Resolved*, That the committee on the Judiciary, be instructed to enquire whether an act entitled "an act for the relief of widows whose husbands die intestate, without any heirs lineally descended from them;" approved January 19th, 1850, is not contradictory and absurd; and whether further legislation upon the subject matter is not necessary to secure the relief contemplated by that law, with leave to report by bill or otherwise;

Have had the same under consideration and directed me to report the accompanying bill to the House and recommend its passage:

No. 177. A bill explanatory of an act entitled "An act for the relief of widows whose husbands die intestate without any heirs lineally descended from them;" approved January 19, 1850;

Which was read a first time and passed to a second reading.

Mr. Coburn from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to which was referred "An act to legalize the election of the Treasurer of Madison county," Senate



bill No. 38, have directed me to report that by a late decision of the Supreme Court, legislation on the subject matter of the first two sections of said act, is unnecessary; and I am further directed to report the accompanying act as a substitute for the third and last section of said bill.

A bill relative to the Treasurer of Madison county.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Indiana,* That so much of an act entitled an act defining the duties of the Treasurer of Madison county, as to road tax, approved Jan. 21, 1850, as repeals section 70, of article 4, of chapter 7, of the Revised Statutes of 1843, *be,* and the same is hereby repealed, and said section 70 is hereby revived and declared in full force in said county of Madison.

Which was concurred in and the bill ordered to a third reading.  
Mr. Pratt, from the Judiciary made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred House bill No. 120, entitled an act to amend an act entitled an act to authorize Jane Bushnell Jenks to hold and convey real estate, approved Jan. 16, 1849, have had the same under consideration, and entertaining strong scruples of the constitutional powers of the Legislature to legislate upon the subject matter of the bill, have directed me to report accordingly, and to recommend the indefinite postponement of the bill.

Which was concurred in.

Mr. Coburn, from the committee on the Judiciary made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred a joint resolution on the subject of appropriating money for the erection of a public building have directed me to report the same back to the House with the following amendment:

Insert at the conclusion of the said resolution the words "in connection with buildings to be erected by the State for public offices and uses."

Which report was concurred in and the joint resolution ordered to be engrossed.

Mr. Chapman, chairman of the committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary committee, who were requested by a resolution of the House to inquire into the expediency of so amending an act giving a lien to certain mechanics therein named, so as to extend like security to other mechanics have directed me to report that they deem any legislation on the subject embraced in said resolution inexpedient, and ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Chapman, chairman of the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred No. 61, a bill to amend an act entitled an act relative to the leveeing of the Wabash river on Shaker prairie, approved January 14, 1846, and to repeal an act amendatory thereto, approved January 21st, 1850, have had the same under consideration, and have directed me to report the same back without amendment and recommend the passage thereof.

Which was concurred in, and the bill ordered to be engrossed.

Mr. Chapman, chairman of the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred a petition from citizens of Allen county on the subject of the tax therein named, have directed me to report the same back to the House and recommend that it be referred to the committee on roads, and ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Chapman, chairman of the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary who were instructed by a resolution of the House to inquire whether some modification of the existing Statute of limitations is not required, so far as concerns actions upon judgments rendered by justices of the peace, have directed me to report that in the opinion of said committee, any legislation up-

on the subject would be inexpedient, and ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Chapman, chairman of the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred so much of the Governor's message as relates to the Vincennes University against the State. Also, bill of the Senate No. 63, entitled an act in relation to the suit of the Vincennes University against the State of Indiana, have had the same under consideration, made an amendment to said bill, and with said amendment recommend the passage thereof, and ask to be discharged from the further consideration of the subject:

Amend by striking out in the first section the following:

Hon. Oliver H. Smith, and Hon. Geo. G. Dunn.

Which report was concurred in, and the bill ordered to a third reading.

Mr. Chapman, chairman of the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred bill of the House No. 124, entitled a bill to incorporate the Vanderburgh Manufacturing Company, have had the same under consideration, and have directed me to report the same back for the further action of the House, and ask to be discharged from the further consideration thereof.

On motion by Mr. Pratt,

The bill contained in the above report was referred to the committee on Corporations.

A message from the Governor, by Mr. Noel, Executive Messenger:

**MR. SPEAKER:**

I am directed by the Governor to inform the House of Representatives that he has approved and signed the following bills:

No. 70. An act to extend the terms of the February and May terms of the Laporte Probate Court.

No. 3. An act for the relief of John Henry Lewis Gerke and Frederick Myers.

No. 38. An act to repeal an act to restrict the grand jury in Franklin county in their sessions, approved January 15, 1850.

No. 37. An act authorizing the Board of Commissioners of the county of Morgan, to make additional allowances to the auditor of said county:

No. 25. An act to open an alley in the town of Perrysville, in Vermillion county.

No. 27. An act to repeal an act entitled an act relative to overseers of the poor, approved January 15, 1844, so far as relates to the county of Clay.

No. 26. An act to revive the 61st section of an act to establish certain State roads therein named, and for other purposes, approved February 18, 1839.

No. 23. An act to repeal an act entitled an act authorizing the Commissioners of Fountain county to vacate a certain street in the town of Rob Roy, in Fountain county.

No. 22. An act to locate a State road in the counties of Kosciusko and Wabash.

No. 21. An act to repeal an act giving further time to assessors, approved January 15, 1844, and all laws contravening the provisions of section 28, of chapter 12, of Revised Statutes of 1843.

No. 20. An act to abolish the officers of School Commissioner, and County Agent, in Brown county.

Mr. Watt, chairman of the committee on Roads, made the following report:

MR. SPEAKER:

The committee on Roads, to whom was referred Senate bill No. 78, have had the same under consideration, and not being able to agree, the committee have directed me to report the same back to the House and ask to be discharged from the further consideration of the subject.

Which was concurred in.

On motion by Mr. Brown of Shelby,

The bill was laid on the table.

Mr. Bradley, chairman of the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations, to which was referred a bill of the House, No. 15, a bill to incorporate the Laporte Male and Female Seminary, have had the same under consideration, and have instructed me to report the same back to the House with five amendments, and upon the adoption of said amendments, respectfully to recommend its passage.

Which was concurred in, and the bill ordered to be engrossed.

Mr. Edwards, chairman of the committee on the State Bank, made the following report:

MR. SPEAKER:

The committee on the State Bank, to whom was referred a resolution of the House, instructing them to inquire into the expediency of authorizing the sale of the stock and interest the State has, directly or indirectly, in the State Bank of Indiana, making the same payable in the canceled bonds of the State, have considered the same, and instructed me to report it back to the House as inexpedient to legislate upon at this time, and ask to be discharged from further consideration thereof.

Which was concurred in.

Mr. Gentry, from the committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The committee on Enrolled Bills have examined the following, and find them correctly enrolled, to-wit:

No. 100. An act requiring the supervisors to settle with township trustees in the county of Wells.

No. 71. An act to amend an act entitled an act to incorporate the Western Plank Road Company, approved January 14, 1850.

No. 77. An act to vacate the town of Charleston, in Huntington county.

No. 42. An act to legalize the election of the County Commissioners of the county of Owen.

No. 40. An act to incorporate the Athenian Society of Indiana University.

Mr. Thorn, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred House bill No. 156, entitled a bill to amend an act entitled an act to amend an act to incorporate the Ohio and Mississippi Railroad Company, approved January 15, 1849, so far as relates to the county of Daviess, have had the same under consideration, and directed me to report the same back without amendment and recommend its passage.

Mr. Davis of Scott moved to add, "or at any annual election thereafter."

Which was adopted, and the bill ordered to be engrossed.

Mr. Thorn, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred Senate bill No. 29, entitled an act to amend an act entitled an act to incorporate the Ohio and Mississippi Railroad Company, passed 14th February, 1848, have had the same under consideration, and directed me to report the same back without amendment, and recommend its passage.

Which was concurred in, and the bill ordered to a third reading.

Mr. Graff, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred so much of the Governor's message as relates to a "geological and topographical survey of the State," have had the same under consideration, and have endeavored to give it that attention which the importance of the subject demands.

Upon investigation the committee find that in obedience to an act "approved 6th February, 1837," a geological survey of the State was made during the years 1837 and 1838, under the superintendence of David Dale Owen, M. D.

Imperfect as any survey restricted to two years must necessarily be, yet the able report of that gentleman fully demonstrates the fact that Indiana is hardly second to any State of the Union in her mineral wealth and resources.

From the facts adduced in the report alluded to, your committee would present the necessity of a further more complete and minute survey of the whole State.

The object to be effected thereby would be in the language of Dr. Owen :

"1st. To lay down on the map accurately the boundary of the coal formation in all its meanders.

2d. To examine thoroughly the saliferous rocks, and determine their exact thickness, extent, inclination and superposition.

3d. To discover if possible new deposits of Iron ore, which seem to be so frequent in this region.

4th. To ascertain the extent of the freestones of this district which might be suitable for building.

5th. To observe the number, thickness and quality of the most valuable eastern out-croppings of coal.

6th. To make observation in the exact dip of the coal measures, a discovery of which, would indicate the depth at which any particular seam might be reached by shafts sunk in any part of the coal measures.

7th. To endeavor to discover the most valuable beds of fire clays, potter's clays, grits, and alum slates, which happen to be common in these localities.

8th. To endeavor to ascertain the most remarkable fossils, or other characteristic symptoms, which might lead to the detection of these valuable deposits elsewhere.

9th. To determine in what this formation agrees, and in what it differs from equivalent formations in other counties."

Did the proposed survey make known only the locality and extent of our deposits of coal, your committee are of opinion that the complete development of our resources in that particular would amply repay the amount proposed to be expended; for history fully proves that the commercial prosperity no less than the numerical strength of a nation may be mainly dependent on the local distribution of fuel.

It is true, at present our forests supply the place of coal, but the axe of the woodman is ever busy, and at no far distant day it must prove our main dependence for fuel.

The fact is established likewise that deposits of iron ore of a good quality occur in various sections of the State; this with the convenient and inexhaustable supply of coal will tend no less to the increase of the fortunes of individuals, than the resources of the State.

In conclusion your committee would say that the citizens of Indiana, engaged almost alone in the development of her agricultural resources, have seen her take her stand as the fifth State of the Union.

To benefit those who look to the cultivation of the soil for their support, to encourage emigration from abroad, and to invite the investment of capital in manufactures in our own State, thus adding to our own prosperity and happiness, they respectfully ask leave to introduce the following bill and recommend its passage:

No. 178. A bill to provide for a geological and topographical survey of the State.

Which was read a first time.

Mr. Graff moved to suspend the rule and read the bill a second time;

Which motion did not prevail.

Mr. McKim from a select committee made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the House No. 104, a bill to amend an act entitled an act changing the mode of doing business in the county of Crawford, approved January the 18th, 1850, and for other purposes, have had the same under consideration.

and directed me to report the same back to the House with two amendments and recommend its passage.

Amend the first section as follows:

Strike out all after the word "amended" and add the following:

That the voters of each Commissioner's district in said county shall at any August election, subsequent to the one named in the second section of the act specified in this act, elect one Commissioner for such district alone, to fill any vacancy that may hereafter occur by the expiration of the term of service or otherwise. And it shall not be lawful for any voter to vote for said Commissioner that is living out of said district.

Strike out the second section and insert the following:

SEC. 2. The provisions of this act and the act to which this is an amendment so far as the same relates to the election of Commissioners, be and the same are hereby extended to the counties of Crawford, Dubois and Perry, and all laws and parts of laws coming in conflict with the provisions of this act, be and the same are hereby repealed.

The report and foregoing amendments were concurred in,  
And the bill as amended ordered to be engrossed.

Mr. McKim offered the following amendment:

Add after the word "August," "or the annual election;"

Which was adopted.

Mr. Shull from a select committee made the following report:

MR. SPEAKER:

The select committee to whom was referred bill of the House No. 115, have had the same under consideration, and have instructed me to report the same back to the House with the following amendment to be inserted in its proper place in section five of said bill, to-wit:

"That the county of Blackford shall pay all the necessary expenses of said elections," and recommend its passage;

Which was concurred in.

Mr. Thompson of Delaware moved to refer the bill to the committee on the Judiciary with the following instructions:

Insert in the proper place in section 5, "that the county of Blackford shall pay all the necessary expenses of said elections;

Which motion prevailed.

Mr. Moore from a select committee made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of sun-



dry citizens of the town of Culumbus, on the subject of retailing intoxicating liquors within the corporate limits of said town, have had the same under consideration, and directed me to report the following bill and respectfully recommend its passage:

No. 179. A bill to prohibit the traffic of intoxicating liquors in the town of Columbus;

Which was read a first time and passed to a second reading.

Mr. Lewis, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred bill 130, have had the same under consideration, and propose to amend section 1 of said act, by inserting the words, "not less than two dollars nor more than ten," where the words "ten dollars" occur, to be determined by the Board of County Commissioners of the county. They return the bill so amended, and recommend its passage.

Which was concurred in, and the bill as amended ordered to be engrossed.

Mr. Morrow, from a select committee, made the following report:

MR. SPEAKER :

The select committee, to whom the petition of sundry citizens of the county of Grant was referred, have had the subject matter therein contained under consideration, and have instructed me to report the accompanying bill and recommend its passage. All of which is respectfully submitted.

No. 180. A bill to repeal a certain act therein named, so far as relates to Grant county, and to revive certain other acts.

Which was read a first time and passed to a second reading.

Mr. Thompson from Carroll, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of sundry citizens of township No. 26, in the county of Carroll, have had the same under consideration, and have instructed me to report the accompanying bill and recommend its passage:

No. 181. A bill to enable the qualified voters of district No. 6, township 26, range 1 west, in Carroll county, to levy a tax in said district sufficient to build a school house.

Which was read a first time and passed to a second reading.

Mr. Hamilton from a select committee made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of citizens of Jackson county, praying to be annexed to the county of Lawrence, have had that subject under consideration, and have directed me to report against the prayer of the petitioners, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Bradley, chairman of a select committee, made the following report :

MR. SPEAKER :

The select committee on the apportionment of the Senators and Representatives in the General Assembly, to whom was referred a resolution of the House instructing said committee to inquire into the expediency of reducing the number of Representatives to eighty and the number of Senators to forty, have had the same under consideration, and have instructed me to report that they deem it inexpedient to reduce the number of Representatives as now fixed by law.

The question being on concurring in the report of the committee, The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Benson, Bird, Blue, Bradley, Caylor, Chapman, Coburn, Cowan, Crawford, Davis of Dubois, Davis of Scott, Donaldson, Elkins, Goodman, Harris, Hicks, Hubbard, Hutchinson, Isom, Jones, Jordan, Lewis, Marquess, McClelland, McKim, McMakin, Mercer, Millikan, Moore, Painter, Pancake, Patterson of Marshall, Phillips, Pratt, Ross, Simler, Thompson of Carroll, Thorn, Walls, Watt, Willard, Williamson, and Withers—43.

*Those who voted in the negative were,*

Messrs. Brown of Pike, Brown of Shelby, Bulla, Campbell, Carr, Clark, Conner, Cox, Crim, Edwards, Essex, Fleece, Franklin, Gentry, Goodman, Graff, Hall, Hamilton, Haywood, Hosbrook, Houghman, Humphreys, Jackson, Johnston, Lank, Lawrence, Lind-

sey, Marshall, Marvin, McCarty, Morgan, Morrow, Nelson, Peck-enpauagh, Reynolds, Rice, Riley, Robbins, Shull, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Delaware, Usher, Watts, Wilson, and Wittenmeyer—48.

So the report of the committee was not concurred in.

On motion by Mr. Watts,

The House adjourned.

2 o'clock, P. M.

The House met.

#### ORDERS OF THE DAY.

On motion,

The order of business was suspended.

Mr. Conner introduced

No. 182. A bill to amend an act entitled an act to incorporate the Peru and Indianapolis Railroad Company, approved January 19th, 1846;

Was read a first time,

On motion,

The rule was suspended and the bill read a second time,

On motion by Mr. Donaldson,

The bill was referred to the committee on Corporations.

On motion,

The order of business was suspended.

Mr. Wilson introduced

No. 183. A bill for the relief of persons who are likely to suffer by the destruction of the records of Sullivan county;

Which was read a first time.

On motion,

The rule was suspended, and the bill read a second time.

On motion by Mr. Wilson,

The bill was referred to a select committee consisting of Messrs. Wilson, Usher, and Edwards.

On motion,

The order of business was suspended.

Mr. Gentry from the committee on enrolled bills, made the following report:

MR. SPEAKER:

The committee on enrolled bills have examined the following, and find them correctly enrolled, to-wit:

Bill No. 116. An act extending the time of holding the Probate Court in the county of Carroll;

No. 34. An act to extend the powers of the Lawrenceburgh and Upper Mississippi Rail Road Company;

No. 72. An act to amend section 72, chapter 7, of the Revised Statutes of 1843, so far as relates to the county of Greene;

No. 85. An act for the relief of Township Clerks, in the county of Posey;

No. 75. An act to repeal an act therein named, so far as the same relates to the counties of Parke and Shelby;

No. 57. An act directing the Auditor of State to pay over to the Treasurer of Ripley county, certain funds therein named;

On motion,

The order of business was suspended.

Mr. Williamson introduced,

No. 184. A bill to change the name of Shadrach Anderson, to that of William Johnson;

Which was read a first time and passed to a second reading.

On motion by Mr. Chapman,

The further consideration of the report of Mr. Bradley, from the select committee, on the "apportionment of the State," was deferred until Monday next.

On motion,

The order of business was suspended.

Mr. Stone introduced,

No. 185. A bill to amend the charter of the Junction Rail Road Company;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended.

Mr. Bradley introduced,

No. 186. A bill defining the boundary of Laporte, Porter, and Lake counties;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended.

Mr. Lindsey introduced,

No. 187. A bill to enable the voters of Orange Township, in the town of Lafayette, to elect an additional Justice of the Peace;

Which was read a first time;

On motion,

The rule was suspended, the bill read a second time and referred to the committee on the Judiciary.

On motion,

The order of business was suspended.

Mr. Fleece introduced,

No. 188. A bill to repeal a part of the 31st section of an act to increase and extend the benefits of common schools;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended.

Mr. Thorn introduced,

No. 189. A bill to regulate the summoning of minor heirs in all cases in Courts of Chancery, and in Courts Probate of this State;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended.

Mr. Graff introduced,

No. 190. A bill to amend article 1, chapter 25, of the Revised Statutes of 1843, so far as relates to the town of Princeton, in Gibson county;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended.

Mr. Dumont presented the petition of sundry citizens of Dearborn county, in regard to imposing a license of fifty dollars on itinerant peddlers in said county;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Armstrong, Shook, and Clark.

#### HOUSE BILLS ON THIRD READING.

No. 126. A bill to amend an act entitled "an act to incorporate The Terre Haute Draw Bridge Company, approved January 13th, 1845;"

No. 127. A bill to amend an "an act to incorporate the Madison County Hydraulic Manufacturing Company;

No. 128. A bill to amend "an act to declare certain water courses in the counties of Perry and Spencer public highways, and for other purposes, approved January 17, 1850;"

No. 136. A bill to change the names of the persons therein named;

By unanimous consent,

Mr. Jones amended by adding—

"And to change the name of Thomas Franklin Steiner, to Thos. Franklin Bascom;"

No. 137. A bill to repeal an act entitled "an act to locate a State road in the counties of Decatur, Jennings, and Bartholomew, approved January 5th, 1849;"

No. 138. A bill to locate a State road in the counties of Pulaski, Starke, and Laporte;

No. 139. A bill to locate a State road in the counties of Hamilton, Tipton, and Howard;

No. 140. A bill to legalize certain acts of the Henry county Turnpike Company and for other purposes;

No. 142. A bill to regulate the sale of spirituous liquors in Jackson county, Indiana;

No. 149. A bill to authorize Lloyd Brown and Eli Brown to erect and maintain a mill dam across White river, in Madison county;

No. 155. A bill to revise and extend the provisions of an act to incorporate the town of Anderson, approved February 17, 1849; Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 58. A bill to repeal an act therein named;

Was read a third time, and,

On motion by Mr. Chapman,

Was referred to the committee on the Judiciary, with instructions to enquire if such is not now the law.

No. 172. A bill to extend the jurisdiction of Justices of the Peace in civil cases;

Was read a third time.

Mr. Donaldson moved to refer the bill to the committee on the Judiciary with instructions to "except the county of Miami."

Mr. Haywood moved to refer the bill to the committee of the Whole House.

Mr. Walls moved to indefinitely postpone the bill.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Carr, Chapman, Clark, Coburn, Cowan, Crawford, Crim, Davis of Dubois, Donaldson, Edwards, Elkins, Essex, Fleece, Franklin, Gentry, Goodman, Graff, Hall, Harrison, Hicks, Hosbrook, Houghman, Hubbard, Isom, Jackson, Jones, Lank, Lawrence, Lewis, Marquess, Marshall, Marvin, McKim, Millikan, Moore, Morgan, Morrow, Nelson, Patterson of Marshall, Phillips, Pratt, Reynolds, Rice, Riley, Ross, Shook, Shull, Simler, Stayner, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Usher, Walls, Watson, Watt, Watts, Willard, Williamson, Wilson and Wittenmeyer—68.

*Those who voted in the negative were,*

Messrs. Benson, Bird, Campbell, Caylor, Davis of Scott, Goodwin, Hamilton, Hammond, Harris, Haywood, Humphreys, Johnston, Jor-

dan, Lindsey, McCarty, McClelland, McMakin, Mercer, Painter, Pancake, Peckenpaugh, Robbins, Stone, Schwartz, Thorn, Withers, and Mr. Speaker—27.

So the bill was indefinitely postponed.

Senate bill,

No. 68. A bill legalizing a certain deed of conveyance heretofore made and executed by the county Auditor of Perry county to William Elder ;

Was read a third time,

On motion by Mr. Chapman,

The bill was referred to the committee on the Judiciary with instructions to enquire if it does not violate the constitution of the State of Indiana.

#### HOUSE BILLS ON SECOND READING.

No. 161. A bill authorizing the sale of section 16, in congressional township 24, north of range 12 east, in Jay and Blackford counties.

No. 162. A bill in relation to the South Bend and Plymouth Plank Road Company.

No. 164. A bill relating to recording deeds in Laporte county.

No. 165. A bill to amend chapter 7, article 1, section 2, of the Revised Code ;

Were severally read a second time and ordered to be engrossed.

No. 168. A bill to authorize the Lafayette Insurance Company to increase their capital stock ;

Was read a second time,

On motion by Mr. Millikan,

Was referred to the committee on Corporations.

No. 169. A bill to secure the return of executions issued by Justices of the Peace.

Was read a second time,

On motion by Mr. Pratt,

Was referred to the committee on the Judiciary.

No. 170. A bill declaring a certain county road therein named a State Road.

Was read a second time and ordered to be engrossed.

No. 171. A bill to amend an act entitled, "an act to incorporate the Logansport and Wabash Bridge Company," approved February 7, 1835 ;

Was read a second time,

On motion by Mr. Pratt,

Was referred to the committee on Corporations.

No. 174. A bill to authorize the building of a bridge across Laughery Creek by Andrew Morgan;

Was read a second time,

On motion by Mr. Clark,

The bill was recommitted to the committee on Corporations with instructions to amend by filling the blank as follows:

For every four wheeled carriage, waggon, or other vehicle drawn by one horse or other animal, a sum not exceeding five cents;

For every horse or other animal in addition five cents;

For every cart, chaise, or other two wheeled carriage or vehicle drawn by one horse or other animal not exceeding five cents;

For every horse or other animal in addition five cents;

For every sled or sleigh drawn by one horse or other animal five cents;

For every horse or other animal in addition five cents;

For every coach, chariot or other four wheeled pleasure carriage drawn by one horse or other animal not exceeding ten cents;

For every horse or other additional animal five cents;

For every horse and rider five cents;

For every horse, mule or ass six months old or upwards led or driven not exceeding two cents;

For every head of neat cattle six months old and upwards two cents;

For every hog and sheep one cent.

*Provided*, That all persons going to or returning from funerals, public worship, or militia musters, shall pass said bridge free of toll;

*Provided also*, That the County Commissioners of Dearborn county, at any regular session thereof, may change said rates of toll as they may deem just and proper, having reference to the usual rates charged by similar toll bridges.

Senate bill,

No. 55. A bill to incorporate the Columbia, Oswego, and Leesburgh Plank Road Company;

Was read a second time, and

On motion by Mr. Ross,

Referred to the committee on Corporations.

No. 64. A bill locating a State road on the line dividing the counties of Allen and DeKalb and for other purposes;

Was read a second time and ordered to a third reading.

No. 65. A bill to incorporate the Sparta and Versailles Turnpike Company;

Was read a second time, and

On motion by Mr. Donaldson,

Was referred to the committee on Corporations.

No. 73. A bill to amend an act to incorporate the Ohio River and Princeton Plank Road Company;

Was read a second time and referred to the committee on Corporations.



No. 93. A bill to repeal an act therein named;

Was read a second time and ordered to a third reading.

No. 94. A bill to amend an act entitled, "an act to restrict the County Commissioners of Steuben county, in levying a tax of fifty cents on the one hundred dollars valuation," approved January 16, 1848.

Was read a second time and ordered to a third reading.

On motion,

The order of business was suspended, and

Mr. Willard introduced bill,

No. 191. A bill to regulate the mileage of Sheriffs and county Treasurers;

Which was read a first time.

On motion,

The rule was suspended, the bill read a second time, and committed to the committee of the whole House,

Mr. Willard in the Chair.

The Speaker resumed the Chair for the purpose of receiving a message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House, without amendment:

No. 33. An act to authorize County Auditors to appoint deputies;

No. 50. An act to repeal an act entitled "an act to incorporate the Lagrange Phalanx, approved January 13, 1845;"

No. 52. An act to amend an act regulating the jurisdiction and duties of Justices of the Peace, in the county of Dearborn;

No. 102. An act to locate a State road on the line dividing Bartholomew and Decatur counties;

No. 113. An act to repeal an act entitled "an act to amend the Road Law in Jefferson county."

The committee of the whole House, rose and made the following report, by Mr. Hicks, their Chairman:

MR. SPEAKER:

The committee of the whole House, to whom was referred House bill, No. 191, "an act to regulate the mileage of Sheriffs and county Treasurers," have, according to order, had the same under consider-

ation and have directed me to report that they have amended the first section as follows:

Cass, from 203 miles to 206.  
 Howard, from 183 miles to 198.  
 Jennings, from 55 miles to 72.  
 Ohio, from 86 miles to 100.  
 Pike, from 151 miles to 115.  
 Greene, from 100 miles to 110.  
 Scott, from 40 miles to 30.  
 Spencer, from 87 miles to 120.  
 Daviess, from 94 miles to 96.  
 Switzerland, from 80 miles to 70.  
 Marshall, from 244 miles to 250.  
 Warrick, from 150 miles to 170.  
 Posey, from 150 miles to 200.

On motion by Mr. Willard,

The bill and amendments were laid on the table.

On motion,

The order of business was suspended, and,

Mr. Harrison presented the memorial of the Board of Commissioners and other citizens of Lake county, on the subject of borrowing money to complete the public buildings of said county;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Harrison, Patterson of Marshall, and Pratt.

On motion,

The order of business was suspended.

On motion by Mr. Thorn,

*Resolved*, That the Trustees of the Wabash and Erie Canal are hereby requested to report to this House, the items which compose and make up the amount of \$21,337 46, in their annual report, made at this session, under the head of General Expenses, including salaries of Trustees and Clerks' traveling and office expenses, printing, advertising, &c., and that the same be reported at their earliest convenience.

On motion,

The order of business was suspended.

Mr. Willard introduced,

No. 192. A bill for the relief of widows;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended.

Mr. Humphreys introduced,

No. 193. A bill to authorize the election of a county Surveyor, in Greene county;

Which was read a first time.

On motion,

The rule was suspended and the bill read a second time.

On motion by Mr. Franklin,

The provisions of the bill was made general.

On motion by Mr. Coburn,

The bill was referred to the committee on the Judiciary.

On motion by Mr. Stayner,

The House adjourned until to-morrow morning 9 o'clock.

### WEDNESDAY MORNING, January 22, 1851.

The House met.

The Journal of the preceding day was read and adopted.

#### PETITIONS, MEMORIALS, &C., PRESENTED.

By Mr. Willard,

The memorial of J. & E. L. Beard, Dan. Mace, G. S. Orth, Luther Jewett, Lewis Ramsey, R. A. Lockwood, James Mix, Ed. H. Reynolds, and William Woodworth;

Which,

On motion,

Was referred to the committee on the Judiciary.

By Mr. Williamson,

The petition of the citizens of Owen and Clay counties, on the subject of a State road;

Which,

On motion by Mr. Johnston,

Was referred to the committee on Roads.

By Mr. Swihart of Huntington,

The memorial of sundry citizens of Whitley county, on the subject of Temperance;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Pratt;

The petition of Isaac H. Wright, of Benton county;

Which,

On motion,

Was referred to the committee on the Judiciary.

By Mr. Mercer;

The memorial of the ladies of Elkhart county, on the subject of temperance;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Pratt;

The petition of the citizens of Cass and Howard county, on the subject of a State road;

Which,

On motion,

Was referred to a select committee of three, consisting of Messrs. Pratt, Cowan and Patterson of Marshall.

By Mr. Pancake;

The petition of J. C. Alvord, in Noble county;

Which,

On motion,

Was referred to the committee on Ways and Means.

By Mr. Houghman;

The petition of the citizens of the county of Parke, concerning a State road therein named;

Which,

On motion,

Was referred to the committee on Roads.

By Mr. Harrison;

The petition of the inhabitants of Porter and Jasper counties, on the subject of erecting a bridge over the Kankakee river at Sherwood's Ferry;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Harrison, Pratt, Cowan, Patterson of Tippecanoe and Patterson of Marshall.

#### REPORTS FROM COMMITTEES.

Mr. Hutchinson, from the committee on Ways and Means, made the following report:

MR. SPEAKER:

The committee on Ways and Means, to whom was referred bill No. 122, exempting from taxation certain lands therein named, have

had the same under consideration, and recommend its indefinite postponement.

The question being on concurring in the report of the committee,  
The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Campbell, Carr, Chapman, Clark, Coburn, Conner, Cowan, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Essex, Fleece, Goodman, Goodwin, Hall, Hamilton, Hammond, Harris, Haywood, Hicks, Hosbrook, Houghman, Hubbard, Hutchinson, Johnston, Jones, Jordan, Lank, Lawrence, Lewis, Lindsey, Marquess, Marshall, Marvin, McCarty, McClelland, McKim, McMakin, Millikan, Moore, Morgan, Morrow, Nelson, Painter, Peckenpaugh, Phillips, Pratt, Riley, Robbins, Ross, Shook, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Watson, Watt, Walls, Willard, Withers, and Wittenmeyer—77.

*Those who voted in the negative were,*

Messrs. Caylor, Franklin, Gentry, Graff, Harrison, Humphreys, Isom, Jackson, Pancake, Patterson of Marshall, Reynolds, Rice, Thorn, Watts, Williamson, Wilson, and Mr. Speaker—17.

So the report was concurred in.

A message from the Governor, by Mr. Noel, Executive Messenger:

**MR. SPEAKER:**

I am directed by the Governor to inform the House of Representatives that he has approved and signed the following bills:

No. 100. An act requiring the Supervisors to settle with the Township Trustees in the county of Wells.

No. 5. An act to incorporate the town of Vernon, Jennings county, Indiana.

Mr. Brown of Shelby, from the committee on Ways and Means, made the following report:

**MR. SPEAKER:**

The committee of Ways and Means, to whom was referred a resolution of the House, inquiring into the expediency of exempting

from taxation all persons who served in the army of the United States, from the close of the Revolutionary war until the close of the late war with Great Britain, have had that subject under consideration, and directed me to report that in the opinion of said committee it is inexpedient to legislate on that subject, and ask to be discharged from further consideration of said resolution.

Which was concurred in.

Mr. Chapman, chairman of the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The Judiciary committee, to whom was referred bill of the House, No. 150, entitled an act to amend articles 1 and 13, of the Revised Statutes, have had the same under consideration, and directed me to report the same back and recommend the indefinite postponement thereof, and ask to be discharged from the further consideration of the subject.

On motion by Mr. Usher,

The report and accompanying bill were laid upon the table.

Mr. Franklin, from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary to whom was referred bill of the House No. 9, entitled, "a bill relating to the board of Commissioners of Knox county," have had the same under consideration, and have directed me to report it back to the House and recommend the indefinite postponement thereof;

Which was concurred in.

Mr. Williamson from the committee on the Judiciary made the following report:

**MR. SPEAKER:**

The committee on the Judiciary who were instructed by a resolution of the House of Representatives "to enquire into the expediency of so amending the existing law on the subject of a change of venue in criminal cases as to make it discretionary with the court instead of imperative," have had the subject under consideration, and have directed me to report that in their opinion legislation thereon is inexpedient, and ask to be discharged from the further consideration thereof.

Mr. Dumont moved to lay the report on the table.

The ayes and noes being demanded by Messrs. Dumont and Williamson.

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Blue, Bradley, Brown of Shelby, Campbell, Carr, Caylor, Clark, Cowan, Crim, Davis of Dubois, Donaldson, Edwards, Elkins, Essex, Fleece, Gentry, Goodman, Hammond, Harrison, Harris, Haywood, Hicks, Hosbrook, Houghman, Hubbard, Hutchinson, Isom, Jackson, Johnston, Jones, Jordan, Lank, Lawrence, Lewis, Lindsey, Marquess, Marvin, McCarty, McClelland, McKim, Millikan, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Peckenpaugh, Rice, Riley, Robbins, Ross, Shook, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Walls, Watson, Watt, Willard, Withers, Wittenmeyer and Mr. Speaker—69.

*Those who voted in the negative were,*

Messrs. Brown of Pike, Bulla, Chapman, Davis of Scott, Franklin, Goodwin, Graff, Hall, Hamilton, Humphreys, Marshall, Mercer, Moore, Morrow, Phillips, Pratt, Reynolds, Thompson of Delaware, Thorn, Usher, Watts, Williamson and Wilson—23.

So the report was laid on the table.

Mr. Pratt from the committee on the Judiciary made the following report:

MR. SPEAKER:

The committee on the Judiciary to whom was referred bill of the Senate No. 1, entitled, "An act for the relief of borrowers of the school fund," have had the same under consideration—made an amendment thereto, and as amended recommend the passage thereof;

Amend as follows:

Strike out from the first section after the word "*provided*," the following: "That in all cases where personal security has been given to secure such loan, the consent of the security to the extension of the time of payment shall be endorsed on the obligation and signed by him; or a new," so as to make the proviso read as follows: "*Provided*, Security shall be given as in cases of original loans."

The report was concurred in, and the amendment to the bill was ordered to be engrossed and the bill ordered to a third reading.

Mr. Bradley from the committee on the Judiciary made the following report:

MR. SPEAKER:

The committee on the Judiciary to whom was referred bill of the House No. 49, "an act regulating interest," together with a certain pending amendment with instructions to report a bill fixing the rate of interest, have had the same under consideration, and have instructed me to report the said bill and amendment back to the House and to recommend that the same be laid on the table and to recommend the passage of the following bill as a substitute therefor:

Which report was concurred in.

No. 199. A bill in relation to the interest on money;

Which was read a first time and passed to a second reading.

#### BILLS INTRODUCED.

By Mr. Bird;

No. 194. A bill to locate a State road in Allen county;

Which was read a first time and passed to a second reading.

By Mr. Brown of Pike;

No. 195. A bill declaring Flat creek in Pike and Dubois counties a public highway;

Which was read a first time,

On motion,

The rule was suspended, the bill read a second time and referred to a select committee consisting of Messrs. Brown of Pike, Hutchinson and Davis of Dubois.

By Mr. Davis of Dubois;

No. 196. A bill declaring Hall's creek in Dubois county a public highway;

Which was read a first time,

On motion,

The rule was suspended, the bill read a second time and referred to a select committee of three consisting of Messrs. Davis of Dubois, Brown of Pike and Lewis.

By Mr. Caylor:

No. 197. A bill to regulate the taking toll at water grist-mills;

Which was read a first time.

On motion,

The rule was suspended, and the bill read a second time.

Mr. Goodwin moved to except the county of Daviess from the provisions of the bill.

On motion by Mr. Humphreys,

The bill was referred to the committee on the Judiciary.

By Mr. Millikan;

No. 198. A bill for the benefit of the Union Plank Road Com-



pany, and the Michigan City and South Bend Plank Road Company in Laporte county;

Which was read a first time,

On motion,

The rule was suspended, the bill read a second time, and

On motion,

Referred to the committee on Corporations.

On motion by Mr. Armstrong,

The House adjourned, to meet at two o'clock, P. M.

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2 o'clock, P. M.

The House met.

#### ORDERS OF THE DAY.

On motion,

The order of business was suspended, and

Mr. Brown of Shelby from the Committee on Military Affairs, made the following report:

**MR. SPEAKER:**

The committee on Military Affairs to whom was referred the report of the quarter master general, have had that subject under consideration, and directed me to report the same back to the House and recommend that said communication be laid on the table and one hundred copies be printed for the use of this House;

Which was concurred in.

On motion,

The order of business was suspended, and

Mr. Williamson, from the committee on Corporations made the following report:

**MR. SPEAKER:**

The committee on Corporations, to whom was referred bill No. 135 of the House, to incorporate the Mullican's Mill and Junction Plank or Clay Turnpike Road Company, have had the same under consideration and directed me to report the same back to the House and recommend its passage.

On motion,

The rule was suspended, and the bill read a third time and passed.  
Ordered, that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

Mr. Ross, from the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred a petition from sundry citizens of Hagerstown; also, a remonstrance from citizens of the same place, on the subject of changing the corporation limits of the said town of Hagerstown, have considered the same, and instructed me to report that it would be inexpedient at this time to legislate on the subject, and to recommend that the petition and remonstrance be laid on the table.

Which was concurred in.

On motion,

The order of business was suspended.

Mr. Bradley introduced

No. 200. A joint resolution on the subject of the Michigan City Harbor;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

Mr. Donaldson, from the committee on Corporations, reported back bill 141, with amendments.

On motion by Mr. Pratt,

The report and bill were laid on the table.

On motion,

The order of business was suspended, and,

Mr. Usher, from a select committee, made the following report:

MR. SPEAKER:

Your committee, to whom was referred the several petitions of citizens of Vigo county, relative to the school law in said county of Vigo, have had the same under consideration, and beg leave to report the following bill, and recommend its passage:

No. 201. A bill to amend an act entitled an act to increase and extend the benefits of common schools, approved January 17, 1849, and the act declaring said act in force, approved January 19, 1850, so far as the same relates to the county of Vigo;

Was read a first time and passed to a second reading.

On motion,

The order of business was suspended, and

Mr. Patterson of Marshall, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee, to whom was referred the petition of sundry citizens of Marshall county, praying the passage of an act authorizing the assessment and collection of a specific road tax in said county, have had the same under consideration, and have instructed me to report the following bill and respectfully to recommend its passage:

**No. 202.** A bill to authorize the assessment and collection of a specific tax for road purposes in the county of Marshall.

Which was read a first time.

On motion,

The rule was suspended, the bill read a second time and ordered to be engrossed.

On motion,

The order of business was suspended.

Mr. Nelson, from a select committee, made the following report:

**MR. SPEAKER:**

A select committee, to whom was referred a petition of the treasurer of Boone county and others, have had the same under consideration, and have directed me to report the same back to the House, and believe it to be inexpedient to legislate on that subject, and ask to be discharged from the further consideration thereof.

Which was concurred in.

Messages of the Senate were then taken up:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate has refused to concur in the engrossed amendment of the House to the engrossed bill of the Senate,

**No. 15.** An act for the relief of Joseph Allen, of Crawford county.

The question being, will the House adhere to the amendment thereof?

Was decided in the affirmative.

Ordered that the Clerk inform the Senate thereof.

Message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House with one amendment :

No. 68. An act to repeal an act therein named.

In which amendment the concurrence of the House is respectfully requested.

The amendment of the Senate was concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson their Secretary.

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions thereof :

No. 46. A joint resolution upon the subject of lands for school purposes.

No. 61. An act for the relief and benefit of the College Corner and Liberty Turnpike Company, the Liberty and Abbington Turnpike Company, and Liberty and Brownsville Turnpike Company.

No. 70. An act to incorporate the Wabash Railroad Company.

No. 80. An act to reorganize the Evansville Insurance Companies, chartered under the several acts of February 8, 1836, and January 21, 1850.

No. 83. An act to incorporate the Covington and Danville Plank Road Company.

No. 85. An act to amend an act entitled an act to incorporate the Harrison Draw Bridge Company ;

No. 92. An act to amend the act concerning the per diem allowance for work done on the highways in the county of Adams.

No. 95. An act to amend the 12th section of chapter 50, of the Revised Statutes of 1843.

No. 96. An act to legalize the proceedings of the Alton, Mt. Carmel, and New Albany Railroad Company, and for other purposes.

No. 101. An act to repeal an act entitled an act declaring a certain stream therein named a public highway, in Shelby county, approved January 21, 1850.

No. 104. An act establishing an additional place of holding an election in Clark county.

No. 106. An act to amend an act entitled an act to protect from waste certain lands therein named, approved December 13, 1849.

In which the concurrence of the House is respectfully requested.

Nos. 46 and 61, contained in the foregoing message were each read a first time and passed to a second reading.

No. 70, contained in the foregoing message,

Was read a first time,

On motion,

The rule was suspended, the bill read a second time, and,

Mr. Usher moved to refer to a select committee consisting of Messrs. Edwards, Usher, Graff, and Thorn.

On motion by Mr. Bradley,

The bill was referred to the committee on Corporations.

No. 80, contained in the foregoing message, was read a first time,

On motion by Mr. Usher,

The rule was suspended, the bill read a second time and referred to the committee on Corporations.

Nos. 83, 85, 92, 95, and 96,

Were severally read a first time and passed to a second reading.

No. 101 was read a first time,

On motion,

The rule was suspended, the bill read a second time and referred to a select committee consisting of Messrs. Brown of Shelby, Hosbrook, and Thorn.

Nos. 104 and 106 were each read a first time and passed to a second reading.

Message from the Senate :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof:

No. 81. An act to repeal an act therein named, relative to the election of County Prosecutors.

In which the concurrence of the House is respectfully requested.

Bill No. 81, contained in the foregoing message, was read a first time and passed to a second reading.

#### HOUSE BILLS ON THIRD READING.

No. 15. A bill for the relief of Joseph Allen, of Crawford county.

No. 61. A bill to amend an act entitled an act relative to the leveeing of the Wabash river on the Shaker Prairie, approved Jan. 14th, 1846, and to repeal an act amendatory thereto, approved Jan. 21st, 1850.

No. 65. A joint resolution on the subject of appropriating money for the erection of a public building;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 88. A bill to amend sections 302, 303, and 304, of article

13, chapter 17, Revised Statutes of 1843, also, section 2, of chapter 61, on page 1030, 1031, and 1032, of Revised Statutes of 1843, and for other purposes ;

Was read a third time.

The question being Shall the bill pass?

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Blue, Bradley, Brown of Shelby, Bulla, Campbell, Carr, Caylor, Clark, Conner, Cowan, Crawford, Davis of Dubois, Edwards, Elkins, Essex, Fleece, Franklin, Gentry, Goodman, Goodwin, Graff, Hall, Hammond, Harris, Haywood, Hicks, Hosbrook, Houghman, Hubbard, Hutchinson, Isom, Jackson, Johnston, Jones, Jordan, Lank, Lawrence, Lewis, Lindsey, Marquess, Marshall, McCarty, McClelland, McKim, McMakin, Mercer, Millikan, Moore, Morgan, Morrow, Pancake, Peckenpaugh, Phillips, Pratt, Reynolds, Riley, Robbins, Ross, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Walls, Watson, Watt, Watts, Wittenmeyer, and Mr. Speaker—76.

*Those who voted in the negative were,*

Messrs. Brown of Pike, Chapman, Crim, Davis of Scott, Donaldson, Hamilton, Harrison, Humphreys, Marvin, Nelson, Painter, Patterson of Marshall, Rice, Shook, Willard, Williamson, Wilson, and Withers—18.

So the bill passed.

Ordered that the Clerk inform the Senate thereof.

No. 104. A bill to amend an act entitled an act changing the mode of doing business in the counties of Crawford, Dubois, and Perry, and for other purposes.

No. 107. A bill relative to elections of Prosecuting Attorneys ;  
Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 130. A bill to compel a license to be paid by the vender of Patent or secret Medicines ;

Which was read a third time.

Mr. Humyhyreys moved that the bill be indefinitely postponed.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative, were,*

Messrs. Armstrong, Bulla, Campbell, Caylor, Chapman, Clark, Cowan, Edwards, Elkins, Essex, Gentry, Goodwin, Hamilton, Harrison, Hicks, Houghman, Humphreys, Hubbard, Isom, Jackson, Jones, Lank, Lawrence, Marshall, McKim, McMakin, Mercer, Millikan, Moore, Morrow, Pancake, Patterson of Marshall, Peckenpaugh, Phillips, Stay-

ner, Swihart of Huntington, Thompson of Carroll, Watt, Watts, Willard, Wilson, Withers, and Wittenmeyer—43.

*Those who voted in the negative were,*

Messrs. Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Carr, Conner, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Fleece, Franklin, Goodman, Graff, Hall, Hammond, Harris, Haywood, Hosbrook, Hutchinson, Johnston, Jordan, Lewis, Lindsey, Marquess, Marvin, McCarty, McClelland, Morgan, Nelson, Painter, Pratt, Reynolds, Rice, Riley, Robbins, Ross, Shook, Shull, Simler, Stone, Schwartz, Swihart of Wabash, Thompson of Delaware, Thorn, Usher, Walls, Watson, Williamson, and Mr. Speaker—52.

So the bill was not indefinitely postponed.

The question being,

“Shall the bill pass?”

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Bird, Blue, Bradley, Brown of Pike, Carr, Conner, Crawford, Davis of Dubois, Davis of Scott, Donaldson, Fleece, Goodman, Graff, Hall, Hammond, Haywood, Hosbrook, Hutchinson, Lewis, Lindsey, Marquess, Marvin, McCarty, McClelland, Morgan, Nelson, Painter, Phillips, Pratt, Reynolds, Rice, Robbins, Ross, Shook, Stone, Schwartz, Swihart of Wabash, Thompson of Delaware, Thorn, Usher, Walls, and Mr. Speaker—42.

*Those who voted in the negative were,*

Messrs. Armstrong, Benson, Brown of Shelby, Bulla, Campbell, Caylor, Chapman, Clark, Cowan, Crim, Edwards, Elkins, Essex, Franklin, Gentry, Goodwin, Hamilton, Harris, Harrison, Hicks, Houghman, Hubbard, Humphreys, Isom, Jackson, Johnston, Jones, Jordan, Lank, Lawrence, Marshall, McKim, McMakin, Mercer, Millikan, Moore, Morrow, Pancake, Patterson of Marshall, Peckenaugh, Riley, Shull, Simler, Stayner, Swihart of Huntington, Thomson of Carroll, Watson, Watt, Watts, Willard, Williamson, Wilson, Withers, and Wittenmeyer—54.

So the bill did not pass.

A message from the Senate by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House without amendment:

No. 56. To authorize the sale of school land, in Perry county;

No. 90. An act to enable the qualified voters of school district

No. 7, town 36, range 3 west, in Laporte county, to levy a tax in said district, for the purpose of building a school house ;

On motion,

The order of business was suspended.

Mr. Phillips introduced,

No. 203. A bill for the protection of married ladies and their families ;

Which was read a first time.

On motion of Mr. Brown of Pike,

The rule was suspended and the bill read a second time.

Mr. Brown of Pike moved

That the bill be laid upon the table and that 200 copies be printed.

Which motion did not prevail.

Mr. Goodwin moved to refer the bill to the committee on Temperance.

Mr. Humphreys moved to lay the bill on the table ;

Which motion did not prevail.

On motion by Mr. Willard,

The bill was referred to the committee on the Judiciary.

On motion,

The order of business was suspended.

Mr. Dumout presented the following :

The petition of Elias Conwell, John Denerline, and F. & J. W. Gaff, of the city of Aurora, in regard to the charter of said city ;

Which,

On motion by Mr. Dumont,

Was referred to the committee on Corporations, with instructions to report a bill, if they deem it expedient.

On motion,

The order of business was suspended.

Mr. Goodwin introduced,

No. 204. A bill to incorporate the Washington and Maysville Plank Road Company in the county of Daviess ;

Which was read a first time,

On motion,

The rule was suspended, the bill read a second time and referred to the committee on Corporations.

On motion,

The order of business was suspended, and,

Mr. Davis of Scott offered the following resolution :

*Resolved*, That the committee on the Apportionment be instructed to report a bill with 100 Representatives and 50 Senators.

Mr. Edwards offered the following amendment :

Amend the resolution by striking it out from the word "Resolved," and insert the following :

That the committee on Apportionment, are hereby instructed



to apportion the State for Senators and Representatives, by providing for the election of 30 Senators and no more, and the election of 60 Representatives and no more.

Mr. Hicks moved a call of the House;

Which was decided in the negative.

The question being,

"Shall the amendment be adopted?"

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Brown of Pike, Bulla, Clark, Conner, Davis of Dubois, Edwards, Essex, Franklin, Gentry, Goodman, Hall, Hammond, Haywood, Hosbrook, Houghman, Humphreys, Jordan, Lank, Lawrence, Marshall, Marvin, McCarty, Morgan, Nelson, Reynolds, Robbins, Stone, Swihart of Huntington, Usher, Watts and Mr. Speaker—32.

*Those who voted in the negative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Shelby, Campbell, Carr, Caylor, Chapman, Cowan, Crawford, Crim, Davis of Scott, Donaldson, Elkins, Fleece, Goodwin, Graff, Hamilton, Harris, Harrison, Hicks, Hubbard, Hutchinson, Isom, Jackson, Johnston, Jones, Lewis, Lindsey, Marquess, McClelland, McKim, McMakin, Mercer, Millikan, Moore, Morrow, Painter, Pancake, Patterson of Marshall, Peckenpaugh, Phillips, Pratt, Rice, Riley, Ross, Shook, Shull, Simler, Stayner, Schwartz, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Thorn, Walls, Watson, Watt of Union, Willard, Williamson, Wilson, Withers and Wittenmeyer—65.

So the amendment was not adopted.

Mr. Franklin moved to strike out 100 and insert 80, and to strike out 50 and insert 40.

Mr. Hicks moved to lay the resolution and pending amendment on the table.

Mr. Williamson moved to adjourn;

Which was decided in the negative.

Mr. Marvin called a division of the question.

The question then being, shall the amendment be adopted?

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Bradley, Campbell, Caylor, Chapman, Crawford, Crim, Davis of Scott, Donaldson, Elkins, Essex, Goodwin of Daviess, Hamilton, Harris, Harrison, Hubbard, Hutchinson, Isom, Jones, Jordan, Lewis, McClelland, McKim, McMakin, Mercer, Moore, Morrow, Painter, Pancake, Patterson of Marshall, Phillips,

Riley, Shull, Simler, Stayner, Schwartz, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Walls, Watson, Watt of Union, Willard, Williamson, Wilson and Withers—47.

*Those who voted in the negative were,*

Messrs. Benson, Blue, Brown of Pike, Brown of Shelby, Bulla, Carr, Clark, Conner, Cowan, Davis of Dubois, Edwards, Fleece, Franklin, Gentry, Goodman of Vigo, Graff, Hall, Hammond, Haywood, Hicks, Hosbrook, Houghman, Humphreys, Jackson, Johnston, Lank, Lawrence, Lindsey, Marquess, Marshall, Marvin, McCarty, Millikan, Morgan, Nelson, Peckenpough, Pratt, Reynolds, Rice, Robbins, Ross, Shook, Stone, Swihart of Huntington, Thorn, Usher, Watts of Jefferson, Wittenmeyer and Mr. Speaker—49.

So the amendment was not adopted.

Mr. Willard called the previous question ;

Which was seconded by the House.

The question then being, shall the main question be now put ?

Was decided in the affirmative.

The main question then being, shall the resolution be adopted ?

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Campbell, Caylor, Chapman, Cowan, Crawford, Crim, Davis of Scott, Donaldson, Elkins, Goodwin, Graff, Hamilton, Harris, Harrison, Hubbard, Hutchinson, Jones, Jordan, Lewis, McClelland, McKim, McMakin, Mercer, Moore, Morrow, Painter, Pancake, Patterson of Marshall, Peckenpough, Phillips, Pratt, Riley, Ross, Shull, Simler, Stayner, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Thorn, Walls, Watson, Watt, Willard, Williamson, Wilson and Withers—54.

*Those who voted in the negative were,*

Messrs. Brown of Pike, Brown of Shelby, Bulla, Carr, Clark, Conner, Davis of Dubois, Edwards, Essex, Fleece, Franklin, Gentry, Goodman, Hall, Hammond, Haywood, Hicks, Hosbrook, Houghman, Humphreys, Isom, Jackson, Johnston, Lank, Lawrence, Lindsey, Marquess, Marshall, Marvin, McCarty, Millikan, Morgan, Nelson, Reynolds, Rice, Robbins, Shook, Stone, Usher, Watts Wittenmeyer and Mr. Speaker—42.

So the resolution was adopted.

On motion,  
 The order of business was suspended, and  
 Mr. Dumont introduced,  
 The petition of the citizens of Dearborn and Ohio counties, praying for an amendment to the charter of the Rising Sun and Versailles Turnpike Company:

Which,

On motion,  
 Was referred to a select committee consisting of Messrs. Clark, Armstrong and Shook.

On motion by Mr. Ross,

The House adjourned to meet to-morrow morning at 9 o'clock.

## THURSDAY MORNING, January 23, 1851.

The House met.

The Journal of the preceding day was read and adopted.

### PETITIONS, MEMORIALS, &C.. PRESENTED.

By Mr. Bradley;

The petition of citizens of Laporte county on the subject of taxation, for the purpose of building a school-house in the county of Laporte;

Which,

On motion,  
 Was referred to a select committee of three, consisting of Messrs. Bradley, Harrison and Reynolds.

By Mr. Schwartz;

The petition of citizens of Clark and Washington counties, on the subject of a State Road.

Which,

On motion,  
 Was referred to a select committee of eight consisting of Messrs.

Schwartz, Campbell, Painter, Hamilton, Isom, Gentry, Brown of Pike and Carr.

By Mr. Willard ;

The remonstrance of citizens of Clark county on the same subject ;

Which,

On motion,

Was referred to the same select committee.

By Mr. Mercer ;

The memorial of the citizens of Elkhart county, on the subject of Temperance ;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. McCarty ;

The petitions of the citizens of Putnam county on the subject of temperance ;

Which,

On motion,

Was referred to the committee on Temperance.

#### REPORTS FROM COMMITTEES.

Mr. Bradley from the committee on the Judiciary made the following report :

**MR. SPEAKER :**

The committee on the Judiciary, to whom was referred a resolution of the House instructing said committee to inquire into the expediency of a change in the appraisment and stay laws, have had the same under consideration, and have instructed me to report the following bill and recommend its passage.

No. 205. A bill to amend an act therein named.

Which was read a first time and passed to a second reading.

Mr. Lewis, chairman of the committee on Education, made the following report :

**MR. SPEAKER :**

The committee on Education, to whom was referred the petition of the school examiners of Gibson county, praying for several amendments and alterations of the common school law, have examined the same, and although the suggestions are deemed valuable and pertinent, yet for the present they would report them as inex-

pedient and ask to be discharged from the further consideration of the petition.

Which was concurred in.

Mr. Watts, from the committee on Education, made the following report:

MR. SPEAKER:

The committee on Education, to whom was referred the petition of sundry citizens of Huntington county, praying for the passage of an act to entitle the citizens of township 26, north of range No. 9 east, to the dividend of the school funds, notwithstanding the failure of the trustees to perform their duty according to law, have had the same under consideration, and have directed me to report the same as inexpedient, and ask to be discharged from its further consideration.

Which was concurred in.

Mr. Riley, from the committee on Education, made the following report:

MR. SPEAKER:

The committee on Education to whom was referred the petition of Charles Jolly, of Dearborn county, in relation to reforms of the common school law, have directed me to report the granting of the prayer of the petitioner as inexpedient, and ask to be discharged from its further consideration.

Which was concurred in.

Mr. Gentry, chairman of the committee on Military Affairs, made the following report:

MR. SPEAKER:

The committee on Military Affairs, to whom was referred, by resolution of the House, so much of the Governor's message as relates to the erection of a State Armory for the safe keeping of the public arms, have had the same under consideration, and have directed me to report that in the opinion of the committee, owing to the extraordinary demands upon the State Treasury at this time, your committee would recommend that the subject be postponed to the year 1852, and would most respectfully ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Usher, chairman of the committee on Claims, made the following report :

**MR. SPEAKER :**

The committee on Claims, to whom was referred House bill No. 173, for the relief of Andrew Morgan, have had the same under consideration, and have directed me to report the same back to the House with the following amendments, and recommend their adoption, and the passage of said bill.

Which was concurred in, and the bill was ordered to be engrossed.

Mr. Watt, chairman of the committee on Roads, made the following report :

**MR. SPEAKER :**

The committee on Roads, to whom was referred House bill No. 132, an act to vacate part of the State road leading from Harrison to Indianapolis, have had the same under consideration, and have made one amendment thereto, and instructed me to report the same back to the House and, when so amended, recommend its passage.

Which was concurred in, and the bill was ordered to be engrossed.

Mr. Donaldson, from the committee on Corporations, made the following report :

**MR. SPEAKER :**

The committee on Corporations, to which was referred Senate bill No. 55, an act to incorporate the Columbia, Oswego and Leesburg Plank Road Company, have had the same under consideration, and directed me to report the same back without amendments, and respectfully recommend its passage.

Which was concurred in, and the bill was ordered to a third reading.

Mr. Williamson, from the committee on Corporations, made the following report :

**MR. SPEAKER :**

The committee on Corporations, to whom was referred House bill No. 124, to incorporate the Vanderburg Manufacturing Company, have had the same under consideration, and directed me to report the same back to the House with the following amendment to the 11th section, and when so amended, to recommend its passage :

No. 124. A bill to incorporate the Vanderburg Manufacturing Company.

Amend section 11. That it shall not be lawful for said company to declare any dividend when the debts of said company exceed their solvent creditors.

Which was concurred in, and the bill ordered to be engrossed.

Mr. Fleece, from the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred bill No. 151, entitled an act to amend the charter of the town of Terre Haute, have had the same under examination, and have instructed me to report it back to the House without amendment, and respectfully recommend its passage.

Which was concurred in, and the bill ordered to be engrossed.

Mr. Willard, from the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations have instructed me to report the accompanying bill, an act to incorporate the Ohio River and Princeton Plank Road Company, back to the House without amendment, and recommend its passage.

Which was concurred in and the bill ordered to a third reading.

Mr. Bradley, chairman of the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was recommitted engrossed bill of the House, No. 31, a bill relative to the Laporte and Plymouth Plank Road Company, with instructions to make a certain amendment, have have had the same under consideration, and in accordance with such instructions, have amended the same as follows:

Amend by adding at the end of the first section the following words:

But no person, animal, or vehicle, coming on the said road in Marshall county, and traveling along the same to the town of Laporte, or coming on the same at Laporte and traveling along the

same to the county of Marshall, shall be required to pay any additional toll for crossing said bridge.

Which was concurred in, and the bill ordered to be engrossed.

Mr. Bradley, chairman of the committee on Corporations, made the following report :

MR. SPEAKER :

The committee on Corporations, to whom was referred engrossed bill of the Senate, No. 36, an act to incorporate the Cicero and Kirklin Plank Road Company, have had the same under consideration, and have instructed me to report the same back to the House, with two amendments, and recommend its passage.

Amend the 8th section by striking out the word "and," at the commencement of the fourth line, and inserting in lieu thereof the word "as."

Amend the 8th section by striking out the words "township or county," at the end of the fourth line, and insert the word "or," between the words corporation and company in the same line.

Which was concurred in, and the bill ordered to a third reading.

Mr. Brown of Pike, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred House bill No. 195, entitled a bill declaring Flat creek, or so much thereof as lies within the counties of Pike and Dubois, a public highway, have had the same under consideration, and have directed me to report back the same without amendment, and recommend its passage.

Which was concurred in, and the bill ordered to be engrossed.

Mr. Essex, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred the petition of the citizens of Hope, in Bartholomew county, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 206. A bill to incorporate the town of Hope, in Bartholomew county;

Was read a first time.

On motion,

The rule was suspended, and the bill read a second time.



Mr. Essex moved that the rule be suspended and the bill read a third time.

Which motion did not prevail.

The bill was ordered to be engrossed.

Mr. Davis of Dubois, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred bill No. 196, entitled a bill declaring Hall's creek, in Dubois county, a public highway, have had the same under consideration, and have directed me to report back the same without amendment and recommend its passage.

Which was concurred in, and the bill ordered to be engrossed.

Mr. Clark, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred the petition of O. P. Gray and sixty-two other citizens of Dearborn county, praying that peddlers and traveling merchants be required to pay fifty dollars per annum for a license to retail merchandise in said county, have had the same under consideration, and have instructed me to report the following bill and recommend its passage:

No. 207. A bill regulating the license of traveling peddlers in the county of Dearborn;

Was read a first time and passed to a second reading.

Mr. Jones, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred the petition of sundry citizens of LaGrange county, praying for an alteration of a certain act therein named, have had the same under consideration, and direct me to report the following bill and respectfully recommend its passage:

No. 208. A bill to amend an act entitled an act to compel speculators to pay a tax equal to that paid by actual settlers in the county of LaGrange, approved January 21, 1850.

Which was read a first time and passed to a second reading.

Mr. Cowan, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred the petition of the citizens of Congressional township No. 28, north of range No. 4 west, of the county of White, have had the same under consideration

and have instructed me to report the accompanying bill, and recommend its passage:

No. 209. A bill providing for the sale of the school section in Congressional township No. 28, north of range 4 west, lying in the county of White;

Was read a first time and passed to a second reading.

Mr. Harrison, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee, to whom was referred the petition of the Board of Commissioners of Lake county, praying the privilege of borrowing money, have had the same under consideration, and have instructed me to report the following bill, and respectfully to recommend its passage:

No. 210. A bill to enable the Board of Commissioners of Lake county to borrow money to build and finish a court house and jail;

Was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Wilson, from a select committee, made the following report:

**MR. SPEAKER:**

The committee, to whom was referred House bill No. 183, have had the same under consideration, and directed me to report the bill back with the following amendments, and recommend that they be adopted, and the bill be passed:

No. 183. A bill for the relief of persons who are likely to suffer by the destruction of the records of Sullivan county.

Which was concurred in.

On motion by Mr. Usher,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Moore, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee, to whom was referred the petition of sundry citizens of the town of Newburn, relative to amending "an act incorporating the said town," have had the same under consideration, and directed me to report the following amendments to the act, and respectfully recommend its passage:

No. 211. A bill to amend an act entitled "an act to incorporate the town of Newburn, in Bartholomew county," approved January 14, 1850.

Which was read a first time and passed to a second reading.

Mr. Usher, from the committee on the Judiciary, made the following report:

MR. SPEAKER :

The committee to whom was referred so much of the Governor's message as relates to the sale of the Northern Division of the Central Canal to Messrs. Shoup, Newman, and Rariden, have had the same under consideration, and have directed me to report that during the deliberation of your committee upon the subject, the lessees of the water powers on said canal north of Morgan county, appeared before your committee, and in addition to the proposition made to the House to release the State from all liability or danger on account of said canal, or the want of a supply of water therein, offered to give the sum bid by Messrs. Shoup, Newman, and Rariden, upon the conveyance of the same to them, which proposition is hereto annexed.

Your committee, not feeling authorized to recommend a confirmation of the sale of said canal to Messrs. Shoup, Newman, and Rariden, which said sale your committee is satisfied was duly and regularly made by public auction, against the protestation of the lessees, have directed me to report the same to the House for its action in the premises.

A majority of the committee recommend that the proposition of the lessees be accepted.

To the honorable, the committee of the House of Representatives, on the subject of the Northern Division of the Central Canal:

The undersigned, lessees of the Northern Division of the Central Canal, respectfully state, that in addition to the final release, we have heretofore offered to execute to the State all her liabilities on her contracts of lease with us for water power on such canal, we will pay to the State the same instalments as were required in case of sale, the sum of \$2,425, being the same sum as offered to the State by others, (not parties to our mutual contract,) which sum we will amply secure to the State on receiving the conveyance of the State's interest in such division of the canal.

(Signed)

JAMES M. RAY,  
CALEB SCUDDER,  
WM. SHEETS,  
WM. HANNAMAN,  
JOHN CARLISLE,  
JOHN CARLISLE & CO.,  
R. R. UNDERHILL,  
JOHN BURK,  
NATH. WEST, Agent for  
MARY R. WEST.

Indianapolis, January 16, 1851.

On motion by Mr. Chapman,

The report and accompanying papers were referred to the committee on the Judiciary.

On motion,

The order of business was suspended, and

Mr. Coburn introduced bill,

No. 212. A bill to provide for the surrender of all contracts of lease given by the State, on the Northern Division of the Central Canal within the county of Marion, and the final disposal of the interest of the State in such part of the Canal;

Which was read a first time, and

On motion by Mr. Chapman,

The rule was suspended and the bill read a second time.

On motion by Mr. Coburn,

The bill was referred to the committee on the Judiciary.

The Speaker laid before the House the following communication:

INDIANAPOLIS, January 22, 1851.

HON. EBENEZER DUMONT,

*Speaker of the House of Representatives:*

SIR:—I have the honor to acknowledge the receipt of a certified copy of a resolution of the House, over which you have the honor to preside, adopted on the 21st inst., requesting the Trustees of the Wabash and Erie Canal, to report the items which compose and make up the amount of \$21,337 46, in their annual report, made at this session, under the head of General Expenses, including salaries of Trustees and Clerks, traveling and office expenses, printing, advertising, &c.

The Trustees are required by law, to report, semi-annually, to the Auditor of State, all the "items" embraced in the "General" and other expenses, and have so reported up to the first of October, 1850, with the proper vouchers for every payment made by the Board; and that officer is, therefore, in possession of the information required by the House, up to the end of the last fiscal year.

As the "items" can be readily ascertained from the Auditor of State, to whom the Trustees are directed to report, and to whom they have faithfully reported, the House is respectfully referred to that source for the information they desire.

Very respectfully,

Your obedient servant,

THOMAS DOWLING,

*Resident Trustee.*

## RESOLUTIONS.

Mr. McKim offered the following resolution :

*Resolved*, That the Auditor of State be requested to furnish this House, forthwith, with the most correct distance from each county seat, in the State of Indiana, to Indianapolis and Jeffersonville, and also, the distances from each county seat in the State, to Indianapolis and Jeffersonville, on the usually traveled route. And that he report to this House what rule is established in computing the mileage due to Sheriffs for conveying convicts to the State Prison, as to distance, and what rule as to distance, has been established in computing mileage, and to county Treasurers.

On motion by Mr. Willard,

The resolution was laid on the table.

Mr. Nelson offered the following resolution :

*Resolved*, That this House will adjourn *sine die*, on February the 10th, the Senate concurring therein.

Mr. Chapman moved to strike out the "10th" and insert the "1st" of February.

Mr. Hutchinson moved to amend by adding "if the business of the House be completed."

Mr. Bird called the previous question ;

Which was seconded by the House.

The question being,

"Shall the main question be now put?"

Was decided in the affirmative.

The question then being on the adoption of the resolution,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Brown of Pike, Brown of Shelby, Bulla, Campbell, Carr, Clark, Conner, Cowan, Crawford, Crim, Davis of Scott, Donaldson, Edwards, Elkins, Essex, Fleece, Gentry, Goodwin, of Daviess, Hall, Hamilton, Hammond, Harris, Haywood, Humphreys, Isom, Jackson, Johnston, Jones, Jordan, Lank, Lawrence, Lewis, Lindsey, Marquess, Marshall, Marvin, McCarty, McMakin, Morgan, Morrow, Nelson, Painter, Pancake, Pratt, Rice, Riley, Robbins, Ross, Shook, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Thorn, Walls, Watson, Watts of Jefferson, Withers, Wittenmeyer, and Mr. Speaker—67.

*Those who voted in the negative were,*

Messrs. Bradley, Caylor, Chapman, Coburn, Davis of Dubois, Franklin, Goodman of Vigo, Harrison, Hicks, Hosbrook, Houghman, Hubbard, Hutchinson, McKim, Mercer, Millikan, Moore, Patterson of Marshall, Peckenpauqh, Phillips, Reynolds, Thompson of Carroll, Thompson of Delaware, Usher, Watt of Union, Willard, Williamson, and Wilson—28.

So the resolution was adopted.

On motion by Mr. Goodwin,

*Resolved*, That the committee on the Judiciary, be instructed to enquire into the expediency of so changing the law authorizing the Clerks to issue marriage license be so changed that hereafter all person or persons over twenty-one years of age, shall have the right to marry, without obtaining a license, as is now provided by law, and the authority solemnizing the marriage contract, shall return a certificate of the same to the Clerk of his county, who shall record the same, as is now required by law, and that they report by bill or otherwise.

On motion by Mr. Lewis,

*Resolved*, That the committee on Education be instructed to enquire into the expediency—

1st. Of consolidating all the laws upon the subject of common schools.

2d. Of simplifying them all by retrenching whatever may be considered superfluous or defective, and adding whatever may be deemed worthy of a place.

3d. And, also, of printing separately in a convenient form, the whole law, in order to its easy transportation at any time, to any county or district of the State, as suggested by the Superintendent of Common Schools, so as to enable each Township Trustee to obtain a copy.

On motion by Mr. Willard,

*Resolved*, That the committee on the Judiciary, be instructed to report a bill giving to sub-contractors building or working on steamboats, the same lien for their services on said boats, which they now have for building houses.

On motion by Mr. Marquess,

*Resolved*, That it is well known to many members of both houses, that the Central Plank Road Company, have violated their charter

by charging an over rate of toll at their gates established on said road as allowed or prescribed in the 20th section of said act regulating said charter, And whereas, the 28th section of said act, provides for a forfeiture of the charter of said road if so violated,

*Resolved therefore,* That the committee on Corporations be instructed to enquire into the expediency of taking from said company their charter.

On motion by Mr. Edwards,

*Resolved,* That the committee on Canals and Internal Improvements are hereby instructed to enquire into the expediency of providing for the regulation of the tolls charged by the Wabash Navigation Company, according to the provisions of the act incorporating said company, approved January 13, 1846, and to report by bill or otherwise.

On motion by Mr. Williamson,

*Resolved,* That the Judiciary committee be instructed to enquire into the expediency of abolishing the present action of ejectment, with its nominal parties, &c., and substitute therefor the action of trespass.

#### BILLS INTRODUCED.

By Mr. Hutchinson;

No. 213. A bill to incorporate the Central Plank Road Company of Vanderburgh county, Indiana;

Which was read a first time;

On motion,

The rule was suspended, the bill read a second time and referred to the committee on Corporations.

By Mr. Lank;

No. 214. A bill extending the provisions of an act therein named to the 11th Judicial Circuit;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Patterson of Marshall;

No. 215. A bill to incorporate the town of Plymouth.

Which was read a first time.

On motion,

The rule was suspended, and the bill read a second time and referred to the committee on Corporations.

By Mr. Jones;

No. 216. A bill to amend an act to increase and extend the benefits of common schools;

Which was read a first time and passed to a second reading.

By Mr. Thorn;

No. 217. A bill fixing the salaries of the Trustees of the Wabash and Erie Canal;

Which was read a first time.

On motion,

The rule was suspended and the bill read a second time, and referred to the committee on Canals and Internal Improvements.

By Mr. Gentry;

No. 218. A bill to amend an act entitled an act to extend the term of the Probate Court of the county of Monroe and for other purposes, approved January 21, 1850;

Which was read three several times, the rule being suspended therefor and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Armstrong;

No. 219. A bill to incorporate the Rising Sun Hotel Company;

Which was read a first time,

On motion,

The rule was suspended, and the bill read a second time, and referred to the committee on Corporations.

By Mr. Withers;

No. 220. A bill the more effectually to prevent frauds and perjury;

Which was read a first time and passed to a second reading.

By Mr. Pratt;

No. 221. A bill to amend an act entitled, "an act to incorporate the Ladies Sigourney Library at Logansport," approved December 27, 1848.

Which was read a first time.

On motion,

The rule was suspended, the bill read a second and third time and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Crawford;

No. 222. A bill entitled an act amendatory to sections 15 and 20 of chapter 35, of the Revised Statutes of 1843.

By Mr. Rice;

No. 223. A bill to curtail the expenses of the Legislature.

By Mr. Edwards;

No. 224. A bill authorizing the establishment of additional places of holding elections in the several townships of this State.

By Mr. Wilson;

No. 225. A bill to authorize Riley Sexton to take a change of venue:

Were severally read a first time and passed to a second reading.



By Mr. Ross ;

No. 226. A bill for the relief of John M. Stewart, Sheriff of Ripley county ;

Which was read a first time,

On motion,

The rule was suspended, the bill read a second time and referred to the committee on Ways and Means, with the accompanying documents.

By Mr. Thorn ;

No. 227. A bill to define the duties of the County Treasurers of the State of Indiana ;

Which was read a first time and passed to a second reading.

By Mr. Hutchinson ;

No. 228. A bill providing for the annexation of Lamasco city to Evansville.

Which was read a first time,

On motion,

The rule was suspended, the bill read a second time and referred to a select committee consisting of Messrs. Hutchinson, Lewis and McKim.

By Mr. Houghman ;

No. 229. An act to amend an act incorporating the I. and S. P. Railroad Company ;

Which was read a first time,

On motion,

The rule was suspended, the bill read a second time and referred to the committee on Corporations.

By Mr. Mercer ;

No. 230. A bill to repeal an act therein named ;

Which was read a first time and passed to a second reading.

By Mr. Bird ;

No. 231. A bill to amend section 10, chapter 19, of the Revised Statutes of 1843, in Allen county ;

Which was read a first time,

On motion,

The rule was suspended and the bill read a second time,

On motion by Mr. Usher,

The bill was referred to the committee on the Judiciary, with instructions to make the law general.

By Mr. Haywood ;

No. 232. A bill to reduce the power of the grand jury, in Rush county ;

Which was read a first time,

On motion,

The rule was suspended and the bill read a second time.

Mr. Haywood moved to refer the bill to the committee of the whole House ;

Which motion did not prevail.

On motion by Mr. Ross,

The bill was referred to the committee on the Judiciary.

By Mr. Dumont;

No. 233. A bill for the relief of the heirs of Elizabeth Blatner, late of Dearborn county, Indiana, but now deceased;

Which was read a first time,

On motion,

The rule was suspended, the bill read a second time and referred to the committee on the Judiciary.

A message from the Governor, by Mr. Noel, Executive Messenger

**MR. SPEAKER:**

I am directed by the Governor to inform the House of Representatives that he has this day approved and signed the following bills:

No. 85. An act for the relief of township Clerks in the county of Posey.

No. 116. An act extending the time of holding the Probate Court in the county of Carroll.

No. 75. An act to repeal an act therein named, so far as the same relates to the counties of Parke and Shelby.

No. 77. An act to vacate the town of Charleston, in Huntington county.

No. 40. An act to incorporate the Athenian Society of Indiana University.

No. 71. An act to amend an act entitled an act to incorporate the Western Plank Road Company, approved January 14, 1850.

No. 57. An act directing the Auditor of State to pay over to the Treasurers of Ripley and Greene counties certain funds therein named.

No. 72. An act to amend section 27, chapter 7, of the Revised Statutes of 1843, so far as relates to the county of Greene.

No. 42. An act to legalize the election of the Commissioners of the county of Owen.

By Mr. Dumont;

No. 234. A bill amending sections 48, 49, and 50, of chapter 29, Revised Statutes of 1843;

Which was read a first time,

On motion,

The rule was suspended, the bill read a second time and referred to the committee on the Judiciary.

On motion,

The order of business was suspended, and,

Mr. Pratt, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee, to whom was referred the petition of

Samuel Lowman, and others, citizens of Cass and Howard counties, praying for the location of a certain State road in said counties, have had the same under consideration, and directed me to report the accompanying bill and to recommend its passage;

No. 235. A bill to vacate a State Road in Cass and Howard counties.

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended, and,

Mr. Hicks, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee to whom was referred the petition of B. F. Hays and others, in relation to the improvement of the navigation of White river, have duly considered the subject, and directed me to report the same back with the following bill, and recommend the passage thereof:

No. 236. A bill to incorporate the White River Navigation Company.

Which was read a first time,

On motion,

The rule was suspended, the bill read a second time and referred to the committee on Corporations.

On motion,

The order of business was suspended, and,

Mr. Bradley, chairman of the committee on Corporations, made the following report:

**MR. SPEAKER:**

The committee on Corporations, to whom was referred bill No. 147, an act to incorporate the Newport and Winchester Plank Road Company, have had the same under consideration, and have made sundry amendments, and have instructed me to report the same back to the House, and upon the adoption of said amendments, recommend its passage.

The report was concurred in, and the bill as amended, ordered to be engrossed.

#### ORDERS OF THE DAY.

A message from the Senate by Mr. Emerson their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House with one amendment:

No. 82. An act to amend section 13 of an act to increase and extend the benefits of common schools in the county of Noble, and for other purposes;

In which amendment the concurrence of the House is respectfully requested.

The amendment was concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House, with one amendment:

No. 17. An act to repeal an act therein named.

In which amendment the concurrence of the House is respectfully requested.

Which amendment was concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, to-wit:

No. 97. An act to repeal an act entitled an act to amend the statute providing for the taking of a change of venue in criminal cases, approved January 16, 1849, so far as relates to the county of Steuben.

No. 114. An act to amend an act entitled an act to incorporate the Trustees of the Hartsville Academy, approved January 12, 1850.

No. 115. An act to change the name of the town of Nickelsonville.

No. 118. An act to exempt from taxation the Marine Hospital at Evansville, Indiana.

No. 122. An act to extend further time to the borrowers of the Sinking and other trust Funds.

No. 125. An act to amend an act entitled an act to authorize the Jeffersonville Railroad Company to issue and secure the payment of bonds, approved December 29, 1849.

No. 127. An act to amend chapter 4 of the revised Code of 1843.

In which the concurrence of the House is respectfully requested.

Nos. 46, 97, 114, 115, and 118, contained in the above message, were read a first time and passed to a second reading.

No. 122, contained in the foregoing message, was read a first time.

On motion,

The rule was suspended, the bill read a second time, and,

On motion by Mr. Chapman,

Was referred to the committee on the Judiciary.

On motion,

The order of business was suspended and,

Mr. Williamson, from a select committee, made the following report:

MR. SPEAKER :

The select committee composed of one from each congressional district, to whom was referred that part of the Governor's message relating to the compromise measures passed at the last Congress, have had that matter under consideration, and directed me to report the following joint resolutions, and recommend their passage, and ask to be discharged from the further consideration of the subject.

Mr. Conner, a member of the committee, dissents from the foregoing report.

No. 237. A joint resolution on the subject of the compromise measures passed at the last session of Congress.

Which was read a first time.

On motion by Mr. Davis of Scott,

The rule was suspended, and the joint resolution read a second time.

Mr. Harrison moved to amend by inserting, "a copy to the Governors of each State ;"

Which was decided in the affirmative.

Mr. Lank moved to strike out so much of the resolution as repeals the joint resolution of the last General Assembly.

Mr. Fleece moved to amend by changing the phraseology so as to read, "that we believe the joint resolution of 1850 spoke the sentiments of the people of this State at that time, but that circumstances which have since transpired, have changed the sentiments of the people."

On motion by Mr. Goodwin,

The House adjourned.

2 o'clock, P. M.

The House met.

# ORDERS OF THE DAY.

On motion by Mr. Humphreys,  
A call of the House was ordered.

On motion,  
Mr. Cox was excused.

On motion,  
Mr. Nelson and Mr. Patterson of Tippecanoe were excused.

On motion,  
Mr. O'Neal was excused.

Mr. Goodwin moved that a further call of the House be dispensed with.

Which motion did not prevail.

On motion by Mr. Brown of Shelby,  
Mr. McClelland was excused.

On motion,  
Mr. Riley was excused.

On motion,  
The absentees were sent for, viz:

Messrs. Caylor, Harris, Hosbrook, Houghman, Jones, McMakin, Swihart of Wabash, Thompson of Carroll, and Shook.

On motion by Mr. Usher,  
A further call of the House was dispensed with.

Mr. Marvin called the previous question,  
Which was seconded by the House.

The question being, shall the main question be now put?  
Was decided in the affirmative.

The main question being, shall the joint resolution be engrossed?  
The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Campbell, Carr, Chapman, Clark, Cowan, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Elkins, Essex, Fleece, Franklin, Gentry, Goodman, Goodwin, Graff, Hall, Hamilton, Harris, Harrison, Hicks, Hosbrook, Houghman, Humphreys, Hutchinson, Isom, Jackson, Johnston, Lewis, Lindsey, Marquess, Marvin, McCarty, McKim, McMakin, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Peckenpaugh, Rice, Riley, Ross, Shull, Simler, Stayner, Schwartz, Swihart of Wabash, Thompson of Carroll, Thorn, Usher, Walls, Watson, Watt, Watts, Willard, Williamson, Wilson, and Withers—70.

*Those who voted in the negative were,*

Messrs. Bulla, Caylor, Coburn, Conner, Hammond, Haywood, Hubbard, Jordan, Lank, Lawrence, Marshall, Mercer, Millikan, Moore, Morrow, Phillips, Pratt, Reynolds, Robbins, Shook, Stone, Swihart of Huntington, Thompson of Delaware, and Mr. Speaker—24.

So the joint resolution was ordered to be engrossed.

On motion by Mr. Williamson,

The rule was suspended and the joint resolution read a third time.

Mr. Pratt moved to recommit the joint resolution to the select committee on the "Perpetuity of the Union," with the following instructions:

Amend section 2 by adding the following:

*Provided however,* That nothing herein contained be construed as approving the provision of the law known as the Fugitive Slave Bill.

And by striking out all of the 4th section after the word "repealed."

Mr. Graff moved to amend the instructions:

Strike out the latter clause and amend the first by adding the word "all" before the word "provisions."

Mr. Willard moved to lay the motion to commit with the instructions on the table.

The question being, shall the motion to commit, and the instructions be laid on the table.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Campbell, Carr, Chapman, Cowan, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Elkins, Essex, Fleece, Franklin, Gentry, Hall, Hamilton, Harris, Harrison, Hicks, Hosbrook, Houghman, Humphreys, Hutchinson, Jackson, Lindsey, Marquess, Marvin, McKim, McMakin, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Rice, Riley, Ross, Shull, Simler, Stayner, Schwartz, Swihart of Wabash, Thorn, Walls, Watson, Watt, Willard, Williamson, Wilson and Withers—56.

*Those who voted in the negative were,*

Messrs. Bulla, Caylor, Clark, Coburn, Conner, Edwards, Goodman, Goodwin, Graff, Hammond, Haywood, Hubbard, Isom, Johnston, Jones, Jordan, Lank, Lawrence, Lewis, Marshall, McCarty, Mercer, Millikan, Moore, Morrow, Peckenpaugh, Phillips, Pratt, Rey-

nolds, Robbins, Shook, Stone, Swihart of Huntington, Thompson of Carroll, Thompson of Delaware, Usher, Watts and Mr. Speaker—38.

So they were laid upon the table.

Mr. Franklin called the previous question,

Which was seconded by the House.

The question then being, shall the main question be now put?

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Campbell, Carr, Chapinan, Clark, Cowan, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Elkins, Essex, Fleece, Franklin, Gentry, Graff, Hall, Hamilton, Harris, Harrison, Hicks, Hosbrook, Houghman, Humphreys, Hutchinson, Jackson, Lewis, Lindsey, Marquess, Marvin, McCarty, McKim, McMakin, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Rice, Riley, Ross, Shull, Simler, Stayner, Schwartz, Swihart of Wabash, Thorn, Walls, Watson, Watt, Willard, Williamson, Wilson and Withers—61.

*Those who voted in the negative were,*

Messrs. Bulla, Caylor, Coburn, Conner, Edwards, Goodman, Goodwin, Hammond, Hubbard, Isom, Johnston, Jones, Jordan, Lank, Lawrence, Marshall, Mercer, Millikan, Moore, Morrow, Peckenpaugh, Phillips, Pratt, Reynolds, Robbins, Shook, Stone, Thompson of Carroll, Thompson of Delaware, Usher, Watts, and Mr. Speaker—32.

So the main question was ordered to be put.

The main question being, shall the joint resolution pass?

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Campbell, Carr, Chapman, Clark, Cowan, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Elkins, Essex, Fleece, Franklin, Gentry, Graff, Hall, Hamilton, Harris, Harrison, Hicks, Hosbrook, Houghman, Humphreys, Hutchinson, Jackson, Johnston, Lewis, Lindsey, Marquess, Marvin, McCarty, McKim, McMakin, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Peckenpaugh, Rice, Riley, Ross, Shull, Simler, Stayner, Schwartz, Swihart of Wabash, Thompson of Carroll,



Thorn, Walls, Watson, Watt, Willard, Williamson, Wilson and Withers—66.

*Those who voted in the negative were,*

Messrs. Bulla, Caylor, Coburn, Conner, Goodman, Hammond, Haywood, Hubbard, Jones, Jordan, Lank, Lawrence, Marshall, Mercer, Millikan, Moore, Morrow, Phillips, Pratt, Reynolds, Robbins, Shook, Stone, Swihart of Huntington, Thompson of Delaware, Usher and Mr. Speaker—27.

So the joint resolution passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Edwards moved to reconsider the vote on the passage of the foregoing joint resolution.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Caylor, Clark, Coburn, Conner, Edwards, Goodman of Vigo, Goodwin, Hammond, Haywood, Hubbard, Isom, Johnston, Jones, Jordan, Lewis, Marshall, McCarty, Mercer, Millikan, Moore, Morrow, Peckenpaugh, Pratt, Reynolds, Robbins, Shook, Stone, Swihart of Huntington, Thompson of Carroll, Thorn, Usher, Walls, Watts and Mr. Speaker—34.

*Those who voted in the negative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Campbell, Carr, Chapman, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Elkins, Essex, Fleece, Franklin, Gentry, Graff, Hall, Hamilton, Harris, Harrison, Hicks, Hosbrook, Houghman, Humphreys, Jackson, Lank, Lawrence, Lindsey, Marquess, Marvin, McKim, McMakin, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Rice, Riley, Ross, Shull, Simler, Stayner, Schwartz, Swihart of Wabash, Thompson of Delaware, Watson, Watt, Willard, Williamson, Wilson and Withers—58.

So the vote was not reconsidered.

Mr. Shook, chairman of the committee on Enrolled Bills made the following report:

**MR. SPEAKER:**

The committee on Enrolled Bills have compared the following and find them correctly enrolled.

No. 63. An act relative to the purchase of books made by the Governor for the use of the convicts in the State Prison and for other purposes.

No. 64. An act to enable the inhabitants of school district No. 8, in Congressional township No. 36, north of range No. 3 west, in the county of Laporte to levy a tax sufficient to build a school house.

No. 69. An act to reduce the fees of the Recorder of the county of Brown.

No 73. An act to amend an act entitled an act to incorporate the White County Monticello Bridge Company, approved January 15, 1850.

No. 92. A joint resolution, authorizing the United States to purchase a site and erect a Marine Hospital at Evansville, or in its immediate vicinity.

No. 101. An act to amend an act entitled an act to incorporate certain turnpike companies therein named, approved January 29th, 1839.

No. 109. An act to vacate part of Water street in the town of Williamsport, in the county of Warren, and State of Indiana.

On motion by Mr. Ross,

The House adjourned to meet to-morrow at 9 o'clock.

FRIDAY MORNING, January 24, 1851.

The House met.

The Journal of the preceding day was read and adopted.

A Message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof:

No. 142. An act to change the time of holding the February term of the Probate Court of Elkhart county for the year 1851.

In which the concurrence of the House is respectfully requested.

On motion by Mr. Davis of Scott,

The order of business was suspended and the orders of the day taken up.

#### ORDERS OF THE DAY.

##### *Senate Bills on first reading.*

No. 125. A bill to amend an act entitled an act to authorize the Jeffersonville Road company to issue and secure the payment of bonds, approved December 29, 1849.

No. 127. A bill to amend chapter 4 of the Revised Code of 1843. Were each read a first time and passed to a second reading.

No. 142. A bill to change the time of holding the February term of the Probate Court of Elkhart county for the year 1851.

Was read a first time.

On motion by Mr. Mercer,

The rule was suspended, and the bill read a second and third times and passed.

Ordered that the Clerk inform the Senate thereof.

#### HOUSE BILLS ON THIRD READING.

No. 156. A bill to amend an act entitled an act to incorporate the Ohio and Mississippi Railroad Company, approved January 15, 1849, so far as relates to the county of Daviess.

No. 161. A bill authorizing the sale of section 16, in congressional township 24, north of range 12 east, in Jay and Blackford counties.

No. 162. A bill in relation to the South Bend and Plymouth Plank Road Company.

No. 164. A bill relating to recording deeds in Laporte county.

No. 165. A bill to amend chapter 7, article 1, section 2, of the Revised Code;

No. 170. A bill declaring a certain county road therein named a State Road.

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

#### SENATE BILLS ON THIRD READING.

No. 29. A bill to amend an act entitled an act to incorporate the Ohio and Mississippi Railroad Company, passed February 14th, 1848;

Was read a first time.

Mr. Shook moved to recommit the bill to the same select committee, with the following instructions:

Amend by adding:

*Provided*, The bonds of Ripley, Jennings, and Knox counties, issued or to be issued, shall not be put in market, sold or negotiated, directly or indirectly, by any person or corporation, at a greater rate of discount than six per cent., without the consent of a majority of the voters of said counties respectively first attained at a general election;

*Provided further*, That Ripley, Jennings and Knox counties shall not be liable, as stockholders in the Ohio and Mississippi Railroad Company, for the redemption of any issues of promissory notes that may be made or put in circulation by that company.

Mr. Thorn moved to substitute the committee on Corporations, instead of the select committee;

Which was accepted by the mover.

The question then being on the recommitting the bill to the committee on Corporations with instructions,

Was decided in the affirmative.

No. 38. A bill to legalize the election of the Treasurer of Madison county.

No. 63. A bill in relation to the suit of the Vincennes University against the State of Indiana.

No. 64. A bill locating a State road on the line dividing the counties of Allen and DeKalb, and for other purposes.

No. 93. A bill to repeal an act therein named;

No. 94. A bill to amend an act entitled, "an act to restrict the County Commissioners of Steuben county, in levying a tax of fifty cents on the one hundred dollars valuation," approved January 16, 1848.

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

#### HOUSE BILLS ON SECOND READING.

No. 175. A bill authorizing John Heiney to build a mill dam across the Salamonie river;

No. 176. A bill in relation to executions issued by Justices of the Peace;

No. 177. An act explanatory of an act entitled an act for the relief of widows whose husbands die intestate, without any heirs lineally descended from them, approved January 19, 1850;

Were severally read a second time and ordered to be engrossed.

No. 178. A bill to provide for a Geological and Topographical Survey of the State;

Was read a second time, and

On motion by Mr. Chapman,

Was referred to the committee on Agriculture.

No. 179. A bill to prohibit the traffic of intoxicating liquors in the town of Columbus;

Was read a second time.

Mr. Essex moved to amend the bill as follows:

Strike out all after the enacting clause and insert the following:

Sec. 1. That it shall not be lawful for the Board doing county business, or any other person in the county of Bartholomew, to grant to any person a license to retail intoxicating liquors within the corporate limits of the town of Columbus, if a majority of the qualified voters living within the corporate limits of said town of Columbus, shall decide against granting such license.

Sec. 2. For the purpose of ascertaining the wishes of the voters aforesaid, relative to granting license in said town, it shall be lawful for the said voters living within the corporate limits of the said town of Columbus, at their respective township elections in April, in each year, to vote by ballot for or against granting such license in the town where such voters resides.

Sec. 3. For the purpose of taking a vote upon the question aforesaid, each and every voter at said election, may endorse by writing or printing upon the back of his ballot or ticket, given at such election, if in favor of license being granted in said town in which he resides, the word "license," and if the voter is opposed to license being granted, as aforesaid, he may endorse upon his ballot the words "no license."

Sec. 4. The Judges and Inspectors of said election, shall count the votes so taken in said town, and certify the same to the Auditor of the county aforesaid, who shall lay the same before the Board doing county business in said county, at their next session after such election, and if by the returns so transmitted and certified to said Auditor, it shall appear that a majority of all the votes polled within the corporate limits of the said town of Columbus, are against the granting of license in such town, the said Commissioners are and shall be prohibited from granting any license in said town so voting against such license to retail intoxicating liquors. But if a majority of the votes given, as aforesaid, are not against granting such license in said town, it shall be and may be lawful, for the Commissioners in said county, to grant license to any and all persons applying therefor, under the same rules, restrictions, and regulations, and according to the laws now in force on the subject.

Sec. 5. This act to take effect and be in force from and after its passage.

The question being on the adoption of the amendment,

The ayes and noes being demanded by Messrs. Essex and Ross,

*Those who voted in the affirmative were,*

Messrs. Bradley, Brown of Shelby, Carr, Caylor, Chapman, Davis

of Dubois, Davis of Scott, Donaldson, Elkins, Essex, Franklin, Gentry, Harris, Haywood, Humphreys, Hutchinson, Isom, Marquess, Marvin, McKim, McMakin, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Rice, Ross, Shull, Swihart of Huntington, Swihart of Wabash, Watt, Watts, Willard, Williamson, Wilson, Withers, and Mr. Speaker—38.

*Those who voted in the negative were,*

Messrs. Bird, Blue, Brown of Pike, Bulla, Campbell, Clark, Coburn, Conner, Crawford, Crim, Edwards, Fleece, Goodman, Goodwin, Hall, Hamilton, Hammond, Hosbrook, Houghman, Hubbard, Jackson, Jordan, Lawrence, Lewis, Lindsey, Marshall, McCarty, Millikan, Moore, Morrow, Peckenpaugh, Phillips, Pratt, Reynolds, Riley, Robbins, Shook, Simler, Stayner, Stone, Schwartz, Thompson of Carroll, Thompson of Delaware, Thorn, Walls, Watson, and Wittenmeyer—49.

So the amendment was not adopted.

On motion by Mr. Goodwin,

The bill was amended as follows:

No vote shall be counted except it be cast for or against license.

The question then being,

"Shall the bill be engrossed?"

Was decided in the affirmative.

Mr. Moore moved that the rule be suspended and the bill be read a third time;

Which motion did not prevail.

No. 180. A bill to repeal a certain act therein named, so far as relates to Grant county, and to revise certain acts:

On motion by Mr. Thompson of Delaware,

The county of Delaware was added,

And the bill as amended, ordered to be engrossed.

On motion by Mr. Davis of Scott,

The vote on the engrossment of bill No. 177, was reconsidered.

On motion by Mr. Davis of Scott,

The bill was referred to the committee on the Judiciary, with the following instructions:

"Amend so as to apply to real estate, as well as personal."

No. 181. A bill to enable the qualified voters of District No. 6, Township No. 26, Range No. 1 west, in Carroll county, to levy tax in said district, sufficient to build a school house;

Was read a second time and ordered to be engrossed.

No. 184. A bill to change the name of Shadrach Anderson to that of William Johnson;

Was read a second time and ordered to be engrossed.

On motion by Mr. Williamson,

The rule was suspended and the bill was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 185. A bill to amend the charter of the Junction Railroad Company;

Was read a second time, and

On motion by Mr. Walls,

Was referred to the committee on Corporations.

No. 186. A bill defining the boundary of Laporte, Porter and Lake counties.

No. 188. A bill to repeal part of the 31st section of an act to increase and extend the benefits of common schools.

Were each read a second time and ordered to be engrossed.

No. 189. A bill to regulate the summoning of minor heirs in all cases in courts of chancery and in courts Probate of this State;

Was read a second time,

On motion by Mr. Franklin,

Was referred to the committee on Corporations.

No. 190. A bill to amend article 1, chapter 25, of the Revised Statutes of 1843, so far as relates to the town of Princeton, in Gibson county;

Was read a second time, and

On motion by Mr. Pratt,

Was referred to the committee on Corporations.

No. 192. A bill for the relief of widows;

Was read a second time.

Mr. Humphreys offered the following amendment:

Strike out the second and third sections and insert as follows:

SEC. 2. If said deceased husband shall have less than three children, or their descendants, then said widow shall inherit one-fourth of the real estate, as provided in the preceding section, or at her election she may inherit a share of said real estate, and hold the same in fee simple equal to the share of said child, or children or their descendants, the same being equally divided between said widow and children or their descendants, after the debts of said estate are paid, and said widow shall within one year after the death of her said husband, file in the Probate court of the county in which administration is granted on her husband's estate, notice of her intention to take a child's share, and if she fails to file said notice she shall be deemed to have elected to take one-fourth as provided in section 1st of this act.

SEC. 3. If said deceased husband shall have no children or their descendants, then said widow shall inherit one-fourth of the real estate as provided in section first of this act; or at her election she may have and hold one-half of said real estate in fee simple after the debts of said estate are paid; *Provided*, she give notice of her election as provided in section 2 of this act.

Mr. Bradley moved to commit the bill and amendments to the committee on the Judiciary.

Mr. Phillips offered the following instructions:

"Inquire into the propriety of blending the principles contained in bill 177 with this, making them consistent with each other, and report all or as much as they conceive proper in one bill."

On motion by Mr. Williamson,

The instructions were amended as follows:

"So as to make it discretionary with the widow whether she will take dowry or the fourth in fee simple.

The bill and amendments with the instructions were referred to the committee on the Judiciary.

#### HOUSE BILLS ON THIRD READING.

No. 202. A bill to authorize the assessment and collection of a specific tax for road purposes in the county of Marshall;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

#### SENATE BILLS ON THIRD READING.

No. 1. A bill for the relief of the borrowers of the school fund.

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Willard,

The vote on the indefinite postponement of Senate bill No. 30 was reconsidered.

Mr. Willard withdrew the motion to indefinitely postpone the bill.

On motion by Mr. Willard,

The bill was referred to a select committee consisting of Messrs. Willard, Schwartz and Carr.

#### HOUSE BILLS ON SECOND READING.

No. 194. A bill to locate a State Road in Allen county;

Was read a second time and ordered to be engrossed.

No. 199. A bill in relation to the interest on money;

Was read a second time.

Mr. Chapman moved to amend by adding the following to the 1st section of the bill:

*Provided*, That the provisions of this act shall not apply to any Bank, Savings Institution, or Insurance Company;

Which motion prevailed.



Mr. Robbins moved to strike out "10" and insert "8."

Mr. Humphreys moved to indefinitely postpone the bill and amendment.

The ayes and noes being demanded by Messrs Williamson and Thorn,

*Those who voted in the affirmative were,*

Messrs. Benson, Blue, Brown of Pike, Brown of Shelby, Campbell, Carr, Caylor, Coburn, Crawford, Donaldson, Elkins, Fleece, Franklin, Gentry, Goodman, Goodwin, Hall, Hamilton, Harris, Haywood, Hicks, Houghman, Hubbard, Humphreys, Hutchinson, Isom, Jordan, Lindsey, Marshall, Marvin, McCarty, McKim, McMakin, Morgan, Nelson, Painter, Peckenpaugh, Phillips, Rice, Riley, Robbins, Shook, Simler, Stayner, Swihart of Huntington, Swihart of Wabash, Thompson of Delaware, Thorn, Walls, Watson, Watt of Union, Willard, Williamson, Withers and Wittenmeyer—55.

*Those who voted in the negative were,*

Messrs. Bird, Bradley, Bulla, Chapman, Clark, Conner, Cowan, Crim, Davis of Dubois, Davis of Scott, Edwards, Essex, Hammond, Hosbrook, Jackson, Johnston, Lawrence, Lewis, Marquess, Mercer, Moore, Morrow, Pancake, Patterson of Marshall, Pratt, Ross, Shull, Schwartz, Thompson of Carroll, Watts, Wilson, and Mr. Speaker—32.

So the bill was indefinitely postponed.

No. 201. A bill to amend an act entitled an act to increase and extend the benefits of common schools, approved January 17, 1849, and the act declaring said act in force, approved January 19, 1850, so far as the same relates to the county of Vigo;

Which was read a second time.

Mr. Edwards offered the following amendment:

It is hereby made the duty of the Secretary of State to forward without delay copies of this act to the Auditor and Clerk of the county of Vigo.

Which was adopted.

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

Mr. Thorn offered the following:

*Resolved*, That inasmuch as the Trustees of the Wabash and Erie Canal has failed to furnish this House with a detailed statement

of the items in their annual report, which comprise \$21,337 46 on general expenses, including salaries of Trustees and Clerks, traveling and office expenses, printing, advertising, &c., but have referred this House to the Auditor of State, be it, therefore,

*Resolved*, That the Auditor of State be requested to furnish this House with the information asked for in this resolution, with as little delay as possible.

On motion by Mr. Chapman,

The preamble contained in said resolution was stricken out.

The resolution as amended, was adopted.

No. 46. A joint resolution upon the subject of lands for school purposes;

Was read a second time and ordered to a third reading.

No. 61. An act for the relief and benefit of the College Corner and Liberty Turnpike Company, the Liberty and Abbington Turnpike Company, and Liberty and Brownsville Turnpike Company;

Was read a second time and ordered to a third reading.

On motion by Mr. Gentry,

The House adjourned, to meet at two o'clock, P. M.

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2 o'clock, P. M.

The House met.

On motion,

The order of business was suspended, and

Mr. Wilson introduced a petition on the subject of a Railroad therein named;

Which,

On motion,

Was referred to the committee on Corporations.

On motion,

The order of business was suspended, and Mr. Usher, from the committee on Ways and Means, made the following report:

MR. SPEAKER:

Your committee, to whom was referred House bill No. 74, has had the same under consideration, and have directed me to report the same back to the House without amendment, and respectfully recommend its passage.

No. 74. A bill in relation to sales of land forfeited to the State by borrowers of College, and other funds;

Which was concurred in and the bill ordered to be engrossed.

On motion,

The order of business was suspended.

Mr. Brown of Shelby introduced

No. 238. A bill to restrict the powers of the Grand Jury of Shelby county, and to limit the time of its sessions;

Which was read a first time,

On motion,

The rule was suspended, and the bill read a second time.

On motion by Mr. Riley,

The county of Rush was added.

On motion by Mr. Thorn,

The county of Knox was added.

On motion by Mr. Goodwin,

The counties of Daviess and Martin were added.

On motion,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The title was amended by adding in the proper place, Rush, Knox, Daviess and Martin.

On motion by Mr. Williamson,

House bill No. 35 was taken from the table and placed on file.

On motion by Mr. Chapman,

The consideration of House bill No. 35 was made the special order for Tuesday next at 9 o'clock, A. M.

On motion,

The order of business was suspended, and,

Mr. Thorn offered the following resolution:

*Resolved*, That the Auditor of State be requested to furnish this House with a statement of the items in the annual report of the trustees of the Wabash and Erie Canal, which comprises \$21,-337 46 on general expenses, including salaries of trustees and clerks, traveling and office expenses, printing, advertising, &c., with as little delay as possible.

Which was adopted.

On motion by Mr. Pratt,

The report of the committee on Corporations, concerning bill No. 141, a bill to amend an act to incorporate the Logansport, Rochester, and Michigan Railroad Company, approved January 15, 1846, with the following amendments, was considered:

1st. Amend the 1st section by inserting immediately after the word "Assembly," in the second line, the words, "of the State of Indiana."

2d. Amend the 3d section by striking out the word "three," in the first line, and insert in lieu thereof the word "five;" and strike out all of said section after the word "same," in the 4th line.

3d. Amend by striking out all of the 4th section.

4th. Amend by changing the number of the 5th section to the 4th, and the number of the 6th section to the 5th.

The question being on concurring in the report of the committee.

Mr. Pratt called a division of the question, so as to consider the amendments separately.

The 1st and 2d amendments were then adopted.

When,

On motion by Mr. Pratt,

The bill and pending amendments were recommitted to the committee on Corporations.

#### SENATE BILLS ON SECOND READING.

No. 81. A bill to repeal an act therein named, relative to the election of Prosecuting Attorneys;

Was read a second time.

Mr. Pratt offered the following amendment:

That nothing contained in the provisions of this act shall be so construed as to affect the official term of the Prosecuting Attorney of the Fourth Judicial Circuit, elected in pursuance to an act entitled an act to provide for the election of Prosecuting Attorneys in the Fourth and Eighth Judicial Circuits; but said attorney shall be entitled to serve during the term for which he was elected.

Which was adopted.

On motion by Mr. Willard,

The bill was laid on the table.

No. 83. A bill to incorporate the Covington and Danville Plank Road Company;

Was read a second time, and,

On motion by Mr. Phillips,

Referred to the committee on Corporations.

No. 85. A bill to amend an act entitled an act to incorporate the Harrison Draw Bridge Company;

Was read a second time, and,

On motion by Mr. Hutchinson,

Was referred to the committee on Corporations.

No. 92. A bill to amend the act concerning the per diem allowance for work done on the highways in the county of Adams;

Was read a second time and ordered to a third reading.

No. 95. A bill to amend the 12th section of chapter 56, of the Revised Statutes of 1843;

Was read a second time.

Mr. Goodwin moved to amend the bill by striking out "10 per cent." and insert "5."

Which was adopted, and the bill as amended was ordered to a third reading.

No. 96. A bill to legalize the proceedings of the Alton, Mt. Carmel, and New Albany Railroad Company, and for other purposes ;

No. 104. A bill establishing an additional place of holding an election in Clark county ;

No. 106. A bill to amend an act entitled an act to protect from waste certain lands therein mentioned, approved December 13, 1849;

Were severally read a second time and ordered to a third reading.

#### HOUSE BILLS ON SECOND READING.

No 31. A bill relative to the Laporte and Plymouth Plank Road Company.

No. 124. A bill to incorporate the Vanderburg manufacturing Company.

No. 132. A bill to vacate part of the State road leading from Harrison to Indianapolis.

No. 147. A bill to incorporate the Newport and Winchester Plank Road Company.

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 151. A bill to amend the charter of the town of Terre Haute ;

Was read a third time,

On motion by Mr. Edwards,

Was recommitted to a select committee, consisting of Messrs. Edwards, Usher, and Goodman, with the following instructions, "to amend the same generally, if deemed expedient."

No. 173. A bill for the relief of Andrew Morgan, of Dearborn county.

No. 195. A bill declaring Flat creek in Pike and Dubois counties a public highway.

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 196. A bill declaring Hall's Creek, in Dubois county, a public highway ;

No. 206. A bill to incorporate the town of Hope, in Bartholomew county ;

Were each read a third time and passed.

Ordered, that the Clerk inform the Senate thereof.

## SENATE BILLS ON THIRD READING.

No. 36. A bill to incorporate the Cicero and Kirklin Plank Road Company.

No. 55. A bill to incorporate the Columbia, Oswego, and Leesburgh Plank Road Company ;

No. 73. A bill to amend an act to incorporate the Ohio River and Princeton Plank Road Company ;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

## HOUSE BILLS ON SECOND READING.

No. 205. A bill to amend the 72d chapter of the Revised Statutes of 1813, and the several acts amendatory thereto, in relation to the sale of property on execution ;

Was read a second time, and,

On motion by Mr. Goodwin,

Laid on the table.

No. 207. A bill regulating the license of traveling pedlers, in the county of Dearborn,

Was read a second time.

Mr. Phillips moved to amend the bill, so as to make its provisions general.

On motion by Mr. Chapman,

The bill was referred to the committee on Ways and Means.

No. 208. A bill to amend an act therein named.

No. 209. A bill providing for the sale of school section in Congressional township No. 28, north of range No. 4 west, lying in the county of White ;

No. 216. A bill to amend "an act to increase and extend the benefit of common schools ;

Were severally read a second time and ordered to be engrossed.

No. 220. A bill more effectually to prevent frauds and perjury ;

Was read a second time,

On motion by Mr. Withers,

Was referred to the committee on the Judiciary.

No. 222. A bill entitled "an act amendatory to sections 15 and 20 of chapter 35 of the Revised Statutes of 1843,"

Was read a second time, and,

On motion by Mr. Hicks,

Was referred to the committee on the Judiciary.

No. 223. A bill to curtail the expenses of the Legislature,

Was read a second time,

On motion by Mr. Willard,

The bill was referred to the committee on Ways and Means.

No. 224. A bill authorizing the establishment of additional places of holding elections in the several townships of this State,

Was read a second time.

Mr. Humphreys moved to except the county of Greene.

Mr. Willard moved to indefinitely postpone the bill.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Benson, Blue, Brown of Pike, Bulla, Campbell, Carr, Caylor, Chapman, Clark, Crawford, Davis of Dubois, Elkins, Essex, Fleece, Franklin, Gentry, Graff, Harrison, Haywood, Hicks, Hosbrook, Houghman, Humphreys, Jackson, Lindsey, Marquess, Marshall, Millikan, Morrow, Painter, Pancake, Patterson of Marshall, Phillips, Pratt, Rice, Riley, Ross, Shull, Simler, Stayner, Schwartz, Swihart of Huntington, Thompson of Carroll, Thorn, Watt, Watts, Willard, Withers, and Wittenmeyer—49.

*Those who voted in the negative were,*

Messrs. Brown of Shelby, Coburn, Conner, Crim, Davis of Scott, Donaldson, Edwards, Goodman, Goodwin, Hall, Hamilton, Hammond, Harris, Hubbard, Isom, Johnston, Jordan, Lawrence, Lewis, Marvin, McCarty, McKim, McMakin, Mercer, Moore, Morgan, Nelson, Peck-enpugh, Reynolds, Robbins, Shook, Stone, Thompson of Delaware, Usher, Walls, Watson, Williamson, Wilson, and Mr. Speaker—39.

So the bill was indefinitely postponed.

No. 225. A bill to authorize Riley Sexton to take a change of venue,

Was read a second time, and ordered to be engrossed.

No. 227. A bill to define the duties of the several County Treasurers of the State of Indiana,

Was read a second time,

On motion by Mr. Thorn,

Was referred to the committee on Ways and Means.

No. 230. An act to repeal an act therein named ;

No. 235. A bill to locate a State road in Cass and Howard counties ;

Were each read a second time, and ordered to be engrossed.

#### SENATE BILLS ON SECOND READING.

No. 97. A bill to repeal an act entitled an act to amend the statute providing for the taking a change of venue in criminal cases.

approved January 16, 1849, so far as relates to the county of Steuben;

Was read a second time and ordered to a third reading.

No. 114. A bill to amend an act entitled an act to incorporate the Trustees of the Hartsville Academy, approved January 12, 1850;

Was read a second time.

On motion by Mr. Humphreys,

Was referred to the committee on Corporations.

No. 115. A bill to change the name of the town of Nicklesonville.

No. 118. A bill to exempt from taxation the Marine Hospital at Evansville;

Were each read a second time and ordered to a third reading.

On motion,

The order of business was suspended.

Mr. Dumont introduced

No. 239. A bill to give County Treasurers till the 1st of April, 1851, to make settlement with the Auditor of State;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended.

Mr. Gentry, chairman of the committee on Military Affairs, made the following report:

MR. SPEAKER:

The select committee, to whom was referred bill of the House No. 112, an act to regulate the time of holding courts in the Tenth Judicial Circuit, have had the same under consideration, and have directed me to report that in the opinion of the committee it is inexpedient to legislate further upon the subject, and recommend that the bill be indefinitely postponed.

Which was concurred in.

On motion,

The order of business was suspended.

Mr. Fleece introduced

No. 240. A joint resolution in regard to the State University;

Which was read a first time and passed to a second reading.

#### PETITIONS, MEMORIALS, REMONSTRANCES, &C., PRESENTED.

By Mr. Thompson of Carroll;

The petition of sundry citizens of the county of Carroll, in regard to the jurisdiction of Justices of the Peace;

Which,

On motion,



Was referred to a select committee consisting of Messrs. Thompson of Carroll, Marvin, and Nelson.

By Mr. Thompson of Carroll;

The remonstrance of sundry citizens of Carroll county, against the re-establishment of the office of County Auditor.

On motion,

Was referred to a select committee consisting of Messrs. Thompson, McClelland, Pratt, and Donaldson.

Mr. Ross moved to suspend the order of business.

Which was decided in the negative.

By Mr. Brown of Pike;

The petition of the citizens of Pike county, on the subject of an asylum, &c.;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Brown of Pike, Lewis, and Hutchinson.

By Mr. Jones;

The petition of John T. Mattomb;

Which,

On motion,

Was referred to the committee on the Judiciary.

By Mr. Hutchinson;

The petition of the citizens of Evansville, concerning the sale of the public square;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Hutchinson, Lewis, and Graff.

By Mr. Goodwin;

The petition of Philo Hayes.

Mr. Robbins moved to lay the petition on the table.

Which was decided in the negative.

On motion by Mr. Hammond,

The petition was referred to the committee on Military Affairs.

By Mr. Marvin;

The petition of the citizens of Boone and Hamilton counties, on the subject of a State road;

Which,

On motion,

Was referred to a select committee of three, consisting of Messrs. Marvin, Nelson, and Caylor.

By Mr. Brown;

The petition of the citizens of Warren county, on the subject of the sale of liquor;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Moore;

The petitions of the citizens of Bartholomew county, on the subject of Temperance;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Coburn,

The petition of Harvey Bates, of Marion county;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Coburn, Hutchinson, and Chapman.

On motion,

The order of business was suspended, and

Mr. Coburn introduced,

No. 241. A bill for the relief of Harvey Bates;

Which was read a first time.

On motion,

The rule was suspended, the bill read a second time and referred to a select committee to whom was referred the petition on the same subject.

By Mr. Stone,

The petition of the citizens of Fayette county, concerning the erection of a school house;

Which,

On motion,

Was referred to a select committee of three, consisting of Messrs. Stone, Edwards, and Lindsey.

Mr. Hutchinson moved to suspend the order of business;

Which was decided in the negative.

By Mr. Campbell,

The petition of the citizens of the town of Salem, concerning the corporation of said town;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Campbell, Painter, and Moore.

#### REPORTS FROM COMMITTEES.

Mr. Rice from the committee on Ways and Means, made the following report:

MR. SPEAKER:

The committee of Ways and Means, to whom was referred House bill No. 129, entitled "an act to amend the act to assess and collect

the State and county revenue," have had the same under consideration and have directed me to report that the provisions of said act are embraced in the bill reported from said county, entitled "an act for the more just, equal, and effectual assessment and valuation of the real estate, personal property, moneys, rights, credits, effects, and corporation stock in the State of Indiana," and recommend that said bill be laid upon the table.

Which was concurred in.

Mr. Hutchinson from the committee on Ways and Means, made the following report:

**MR. SPEAKER:**

The committee of Ways and Means, to whom was referred House bill No. 105, entitled "a bill to exempt certain property belonging to the city of Evansville, from taxation," have had the same under consideration and have directed me to report that the provisions of said bill are embraced in House bill No. 160, entitled "an act for the more effectual, just, and equal assessment and valuation of the real estate, personal property, moneys, rights, credits, effects, and corporation stock in the State of Indiana, and recommend that said bill be laid upon the table.

Which was concurred in.

Mr. Johnston moved to take from the table a bill to amend an act entitled "an act to provide for the call of a Convention to change, revise, or amend the Constitution:

Which motion did not prevail.

Mr. Franklin from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred bill of the House No. 12, entitled "a bill to amend section 11, chapter 56, of Revised Statutes of 1843, authorizing Coroners to pay expenses of inquests and burials," have had the same under consideration and have directed me to report the same back without amendment and recommend its passage, and a k to be discharged from the further consideration thereof.

Which was concurred in and the bill was ordered to be engrossed.

Mr. Edwards from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred a petition from citizens of Allen and Huntington counties, on the subject of

roads and drains, have had the same under consideration and directed me to report the same back with a recommendation that it be referred to the committee on Roads, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Williamson from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, who were instructed by a resolution of the House "to enquire into the expediency of reporting a bill to repeal all special acts, either increasing or decreasing the fees and salaries of officers, so that fees and salaries may be uniform throughout the State," have had the subject under consideration, and have directed me to report that they are of opinion that it would be inexpedient at the present time to report a bill upon the subject contained in said resolution; said committee, therefore, ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Chapman from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred the memorial and other papers relating to the official conduct of Moses P. Morgan, a Justice of the Peace of Gibson county, have had the same under consideration and have directed me to report that if the charges in said memorial are true, the said Morgan ought to be severely punished. But, as in the opinion of the committee, this may be done without action by the Legislature, they think it inexpedient, to take further action on the subject.

Which was concurred in.

And leave was granted Mr. Graff to withdraw the papers from off the files of the House.

Mr. Williamson from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred bill of the House No. 153, entitled "a bill for the relief of Dempsey Linton,"

have had the same under consideration and have directed me to report the same back and recommend the indefinite postponement thereof.

On motion by Mr. Franklin,  
The report was laid upon the table.

Mr. Franklin from the committee on the Judiciary made the following report:

**MR. SPEAKER :**

The committee on the Judiciary to whom was referred the petition of William W. Smith et al., praying that Isaac C. Leap be divorced from Nancy Jane his wife, have had the same under consideration, and directed me to report that it is inexpedient to grant the prayer of said petitioners.

Which was concurred in.

Mr. Coburn from the committee on the Judiciary made the following report:

**MR. SPEAKER :**

The committee on the Judiciary to whom was referred bill of the House No. 197, "a bill to regulate the taking toll at water grist mills," have had the same under consideration, and have directed me to report the same back and recommend the indefinite postponement thereof.

On motion by Mr. Caylor,

The bill was referred to the committee on Agriculture.

Mr. Bradley from the committee on the Judiciary made the following report:

**MR. SPEAKER :**

The committee on the Judiciary who were instructed by a resolution "to enquire into the expediency of so amending chapter 24, article 2, section 17 of the Revised Statutes, so that in all cases contemplated by the said section 17, no indictment shall be quashed or deemed invalid if the accusation shall be set forth therein with reasonable certainty and in such language as may be sufficient to inform the accused of the charges preferred against him," have had the subject embraced in said resolution under consideration, and have directed me to report that in the opinion of said committee it is inexpedient to legislate thereon; said committee therefore ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Chapman, chairman of the committee on the Judiciary made the following report :

**MR. SPEAKER :**

The committee on the Judiciary to whom was referred the petition of James Steele for a divorce, have had the same under consideration and have directed me to report, that it is inexpedient to legislate on the subject.

Which was concurred in.

Mr. Chapman, chairman of the committee on the Judiciary made the following report :

**MR. SPEAKER :**

The committee on the Judiciary to whom was referred bill of the Senate No. 6, "a bill for the relief of Mary Clark, to enable her to convey real estate," have had the same under consideration and have directed me to report the same back to the House and recommend that it be indefinitely postponed.

Which was concurred in.

Mr. Franklin from the committee on the Judiciary made the following report :

**MR. SPEAKER :**

The committee on the Judiciary to whom was referred bill of the House No. 159, "a bill for the relief of George Coit," have had the same under consideration, and have directed me to report the same back without amendment and recommend the passage thereof.

Which was concurred in, and the bill ordered to be engrossed.

Mr. Chapman, chairman of the committee on the Judiciary made the following report :

**MR. SPEAKER :**

The committee on the Judiciary to whom was referred bill of the House No. 131, entitled, "an act authorizing County Auditors to charge a fee for the acknowledgment of deeds," have had the same under consideration, and have directed me to report the same back and recommend the indefinite postponement thereof.

Which was concurred in.

Mr. Franklin from the committee on the Judiciary made the following report:

**MR. SPEAKER:**

The committee on the Judiciary to whom was referred the petition of Isaac Leap et al., praying that William Butery be divorced from Elizabeth his wife, has had the same under consideration, and directed me to report that is inexpedient to grant the prayer of said petitioners.

Which report was concurred in.

Mr. Chapman, chairman of the committee on the Judiciary made the following report:

**MR. SPEAKER:**

The committee on the Judiciary who were instructed by a resolution to enquire into the expediency of making a change in the law on the subject of marriage license, have had the subject under consideration, and have directed me to report that in their opinion it is inexpedient to legislate thereon; they therefore ask to be discharged from any further consideration of the subject.

Which report was concurred in.

Mr. Bradley, from the committee on the Judiciary made the following report:

**MR. SPEAKER:**

The committee on the Judiciary to whom was referred bill of the House No. 167, entitled, "an act to repeal section 66, of article 5, chapter 12, of the Revised Laws of 1843, and for other purposes therein named," have had the same under consideration, and have directed me to report the same back and recommend its indefinite postponement, and ask to be discharged from the further consideration thereof.

The question being on concurring in the report of the committee. The ayes and noes being demanded by Messrs. Goodwin and Fleece.

*Those who voted in the affirmative were,*

Messrs. Blue, Bradley, Brown of Shelby, Bulla, Campbell, Carr, Chapman, Clark, Coburn, Conner, Cowan, Crawford, Davis of Dubois, Davis of Scott, Edwards, Essex, Franklin, Gentry, Goodman of Vigo, Graff, Hall, Hamilton, Hammond, Harris, Harrison, Hay-

wood, Hicks, Hosbrook, Houghman, Hubbard, Hutchinson, Jackson, Johnston, Jordan, Lawrence, Lewis, Lindsey, Marquess, Marshall, McKim, McMakin, Millikan, Moore, Morgan, Morrow, Painter, Pancake, Peckenpaugh, Phillips, Pratt, Riley, Robbins, Ross, Shook, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Huntington, Thompson of Carroll, Thorn, Usher, Walls, Watson, Watt of Union, Watts of Jefferson Willard, Withers and Wittenmeyer—70.

*Those who voted in the negative were,*

Messrs. Benson, Brown of Pike, Caylor, Elkins, Fleece, Goodwin of Daviess, Humphreys, Isom, Marvin, Mercer, Nelson, Wilson and Mr. Speaker—13.

So the report was concurred in.

On motion,

The order of business was suspended, and

Mr. Johnston introduced the following resolution :

*Resolved*, That the committee on Benevolent and Scientific Institutions inquire into the expediency of erecting a hospital for the wounded of the *Convention* now in session in this city.

On motion,

The resolution was amended by striking out "Scientific and Benevolent Institutions" and inserting "Military Affairs."

The resolution was then adopted.

Mr. Coburn, chairman of the committee on Engrossed Bills, made the following report :

**MR. SPEAKER :**

The committee on Engrossed Bills have examined bills numbered 183, 124, 210, 214, 218, 224, and report that they are correctly engrossed.

On motion by Mr. Caylor,

The House adjourned to meet to-morrow morning at 9 o'clock A. M.



SATURDAY MORNING, January 25, 1851.

The House met.

The Journal of the preceding day was read and adopted.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof :

No. 19. An act to amend an act entitled an act to increase and extend the benefits of common schools, approved January 17, 1849.

No. 90. An act to incorporate the Ohio and Wabash Plank Road Company.

No. 98. An act for the protection of persons and property on railroads.

No. 103. An act to authorize the Governor, Auditor and Treasurer of State to borrow money to pay the interest due on the funded debt on the first day of July next, and defray the expenses of the Constitutional Convention.

No. 129. An act for the construction of a sewer at the States Prison.

No. 130. An act declaring Mill Creek, in Morgan county, a public highway.

No. 131. An act to incorporate the New Albany Hotel Company.

No. 139. An act to legalize the acts of the late Treasurer of Elkhart county, and to extend the time of paying taxes in said county.

No. 156. An act to change the name of Joseph Grandison Jones to that of Joseph Grandison Talbot.

No. 163. An act to repeal an act entitled an act to amend an act entitled an act to require certain statutes to be published in some newspaper at Indianapolis, and for other purposes, approved January 20, 1846.

In which the concurrence of the House is respectfully requested.

Message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-

tives that the Senate has passed the following engrossed bill of the Senate :

No. 162. An act to change the next February term of the Probate Court of Hamilton county,

In which the concurrence of the House is respectfully requested.

A message from the Senate by Mr. Emerson, their Secretary.

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House, without amendment :

No. 13. An act to incorporate the Bluffton, Camden, and Winchester Plank Road Company.

No. 53. An act to incorporate the Peru and Andersontown Plank Road Company.

No. 54. An act to further amend an act entitled an act to incorporate the Michigan Road Company, approved January 13, 1845, and for other purposes.

No. 78. A joint resolution in relation to the bounty land law of Congress of September 28th, 1850.

No. 123. An act authorizing the President and Trustees of the town of Lafayette to purchase and hold real estate.

No. 144. An act to change the time of holding the February term of the Crawford Probate Court.

No. 148. An act to change the name of Mount Wallaston, in White county, to Norway.

No. 157. An act to extend the time of the session of the Board of Commissioners of Wayne county.

#### PETITIONS, MEMORIALS, &c., PRESENTED.

By Mr. Hosbrook :

The petition of George Smith ;

Which,

On motion,

Was referred to the committee on Claims.

Mr. Humphreys moved to suspend the order of business,

Which motion did not prevail.

By Mr. Franklin :

The petition of George Mayfield ;

Which,

On motion,

Was referred to the committee on Claims.

By Mr. Gentry :

The memorial of F. T. Butler in regard to pay for his services as one of the arbitrators in the case of Patrick McGinley vs. the State;

Which,

On motion,

Was referred to the committee on Claims.

By Mr. Armstrong:

The memorial of the citizens of Rising Sun, praying for the incorporation of the Rising Sun Hotel Company;

Which,

On motion,

Was referred to the committee on Corporations.

By Mr. Schwartz:

The memorial of the ladies of Clark county, on the subject of temperance;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Donaldson:

The petition of the citizens of Miami and Wabash counties, concerning the distribution of school tax in township 28, north of range 5 east, in Miami and Wabash counties;

Which,

On motion,

Was referred to the committee on Education.

By Mr. Harrison:

The petition of sundry citizens of Porter county, in regard to amending the charter of the Buffalo and Mississippi Railroad Company;

Which,

On motion,

Was referred to the committee on Corporations.

By Mr. Pratt;

The petition of Amaza P. Carroll, of Howard county;

Which,

On motion,

Was referred to the committee on Claims.

By Mr. Bird;

The petition of the citizens of Allen county, on the subject of swamp lands;

Which,

On motion,

Was referred to the committee on Swamp Lands.

By Mr. Harrison;

The petition of citizens of the town of Valparaiso, praying for a corporation of said town;

Which,

On motion,

Was referred to a select committee of three, consisting of Messrs. Harrison, Bradley and Millikan.

By Mr. Dumont;

The petition of Hannah Ann Towsey, Fanny P. Dunn and others, of the town of Lawrenceburgh, on the subject of temperance;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Dumont:

The memorials of Geo. B. Sheldon, David Ellis, and others, of the town of Sparta, on the subject of temperance;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Dumont;

The petition of the ladies and gentlemen of the town of Sparta, on the subject of temperance;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Dumont;

The temperance memorial of Delila Akers, Ruth Armstrong and others;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Marquess;

The petition of sundry citizens of Indianapolis, praying the grant of a lot that belongs to the State, for the purpose of building an engine house, &c.;

Which,

On motion,

Was referred to the committee on the Judiciary.

By Mr. Bird;

The petition from the citizens of Allen county, on the subject of having deeds made for a less No. of acres than 80 acres;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Bird, Elkins and Swihart of Wabash.

#### REPORTS FROM COMMITTEES.

Mr. Brown of Shelby, from the committee on Ways and Means, made the following report:

**MR. SPEAKER:**

The committee of Ways and Means, to whom was referred

House bill No. 45, have had that subject under consideration, and directed me to report the same back to the House and recommend its passage.

No. 45. A bill to amend section 100, chapter 12, of the Revised Statutes of 1843.

Which report was concurred in, and the bill ordered to be engrossed.

Mr. Bird, from the committee on Ways and Means, made the following report :

**MR. SPEAKER :**

The committee of Ways and Means, to whom was referred the memorial of Ebenezer F. Lucas, praying for the repayment of certain money to him which was abstracted from the Land Office at Peru, and accounted for by the said Lucas, the Superintendent of the Wabash and Erie Canal, in the settlement of his accounts with the State, have had the same under consideration, and after a careful and thorough examination of the facts and circumstances, have directed me to report the following bill and recommend its passage:

No. 242. A bill for the relief of Ebenezer F. Lucas.

Was read a first time, and passed to a second reading.

Mr. Hammond, from the committee on Ways and Means, made the following report :

**MR. SPEAKER :**

The committee on Ways and Means, to whom was referred bill of the House No. 84, and pending amendments, entitled an act to provide for the election of township assessors in the county of Davis and Martin have had the same under consideration, and have directed me to report the same back to the House, and recommend the indefinite postponement of the same.

Which was concurred in.

Mr. Pratt, from the committee on the Judiciary, made the following report :

**MR. SPEAKER :**

The committee on the Judiciary, to whom was referred bill of the House No. 203, entitled a bill for the protection of married ladies and their families, have had the same under consideration, and have directed me to report the same back and recommend that it be indefinitely postponed, and ask to be discharged from the further consideration thereof.

Which report was concurred in.

Mr. Edwards, from the committee on the Judiciary, made the following report :

MR. SPEAKER:

The committee on the Judiciary to whom was referred bill of the House No. 134, a bill for the relief of borrowers of the sinking fund, surplus revenue, and other public funds, have had the same under consideration, and have directed me to report the same back and recommend that it be laid on the table, and ask to be discharged from the further consideration thereof.

Which was concurred in

Mr. Lewis, from the committee on Education, made the following report:

MR. SPEAKER:

The committee on Education, to whom was referred a petition of the citizens of the county of Wayne, asking for a modification of the school law, have had the same under consideration, and report it inexpedient, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Gentry, chairman of the committee on Military Affairs, made the following report:

MR. SPEAKER:

The Standing Committee, to whom was referred the report of the Quarter-Master General, have had the same under consideration, and have, in accordance with the suggestions therein contained, directed me to report the following bill and recommend its passage:

No. 243. A bill to defray the expenses of the Quarter-Master General, and for other purposes.

Which was read a first time and passed to a second reading.

Mr. Watt, chairman of the committee on Roads, made the following report:

MR. SPEAKER:

The committee on Roads, to whom was referred the petition of Alvah Parker, and others, praying for a State Road in the county of Warrick, have had the same under consideration, and have instructed me to report the following bill in accordance with the prayer of said petitioners, and respectfully recommend its passage and ask to be discharged from the further consideration thereof:

No. 244. A bill to locate a State road in the county of Warrick.

Was read three several times, the rules being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Watt, chairman of the committee on Roads, made the following report:

**MR. SPEAKER:**

The committee on Roads, to whom was referred the petition of the board of Commissioners of Cass County, have had the same under consideration, and have directed me to report the accompanying bill, in accordance with the prayer of said petition, local, however, to Cass county, and to respectfully recommend its passage:

No. 245. A bill to amend the general road law, approved January 16, 1849.

The bill was read a first time and passed to a second reading.

Mr. Watt, Chairman of the committee on Roads, made the following report:

**MR. SPEAKER:**

The committee on Roads, to whom was referred sundry resolutions inquiring into the expediency of revising and compiling the Road laws, have had that subject under consideration, and have instructed me to report that, in the opinion of your committee, it is inexpedient to legislate on that subject at this time, and respectfully ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Brown of Shelby, chairman of the committee on Agriculture, made the following report:

**MR. SPEAKER:**

The committee on Agriculture, to whom was referred bill of the House No. 178, to provide for a geological and topographical survey of the State, have had the same under consideration, and directed me to report the same back to the House and recommend its passage.

Mr. Graff moved to lay the report and bill on the table, and one hundred copies ordered to be printed.

Which was decided in the negative.

The question then being, Shall the bill be engrossed?

Was decided in the negative.

Mr. Graff moved to reconsider the vote on the engrossment,

Which was decided in the negative.

Mr. Davis of Scott, from the committee on Agriculture, made the following report:

**MR. SPEAKER:**

The committee, to whom was referred that portion of the Governor's message which relates to the industrial exhibition of all nations at London, in May next, have had the same under consideration, and direct me to report that it is inexpedient to legislate on that subject, and ask to be discharged from the further consideration of the same.

Which was concurred in.

Mr. Davis of Scott, from the committee on Agriculture, made the following report:

**MR. SPEAKER:**

The committee, to whom was referred so much of the Governor's message as relates to a State Agricultural Society, have had that subject under consideration, and direct me to report that it is inexpedient to legislate on that subject, and ask to be discharged from the further consideration of the same.

Which was concurred in.

Mr. Johnston, from the committee on Agriculture, made the following report:

**MR. SPEAKER:**

The committee on Agriculture, to whom was referred the petition of numerous citizens of Jasper county, praying for the passage of a law to prevent hogs and sheep from running at large in certain townships in said county, have had the same under consideration, and have directed me to report that in the opinion of the committee it is inexpedient to legislate on the subject, and ask to be discharged from the further consideration thereof.

Which was concurred in.

On motion by Mr. Edwards,

Bill No. 160 was taken from the table, placed on the file, and made the special order of the House, in committee of the whole, on Monday next at 9 o'clock, A. M.

Mr. Bradley, chairman of the committee on Corporations, made the following report:

**MR. SPEAKER:**

The committee on Corporations, to whom was referred No. 215,



"an act to incorporate the town of Plymouth," have had the same under consideration, have made sundry amendments thereto, and upon the adoption of such amendments, have instructed me to recommend its passage.

Amend by inserting, immediately after section 4, the following:

SEC. 5. The President of the said Board of Trustees shall act as inspector of such election, or in his absence, such other person as the President and Trustees shall appoint, and if there shall be no inspector present by the hour of 10 o'clock, A. M., then the voters present shall choose an inspector. The inspector shall appoint two qualified voters who shall act as judges with him, and one qualified voter to be Clerk of such election, all of whom shall be duly sworn before proceeding to receive votes. Said election shall be held between the hours of 10 o'clock, A. M., and 4 o'clock, P. M. And after the polls shall be closed, said board of judges shall immediately proceed to count the votes given, and the several persons receiving the plurality of votes at such election shall be by said inspector publicly declared elected. Said board of judges shall make out, under their hands and seals, a certificate of such election, and shall file the same forthwith with the Clerk of the corporation, who shall file and record the same, and give to each person elected a copy thereof as soon as practicable.

Amend section 13 by adding to the same the following:

*And provided further,* That if the owner or owners of any such land shall be, at the time of such sale, infant or married women, such owner or owners shall have the right to redeem the same at any time within two years after the removal of such disability.

Which amendments were adopted, and the bill as amended ordered to be engrossed.

Mr. Williamson, from the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred Senate bill No. 70, "an act to incorporate the Wabash Railroad Company," have had the same under consideration, and directed me to report the same back to the House without amendment.

On motion,

The rule was suspended, the bill read a third time.

The question being, shall the bill pass?

The ayes and noes being demanded by Messrs, Willard and Humphreys,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Blue, Bradley, Brown of Shelby,

Campbell, Carr, Chapman, Clark, Conner, Cowan, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Elkins, Essex, Fleece, Franklin, Goodman, Graff, Hall, Hamilton, Hammond, Harris, Haywood, Hicks, Hosbrook, Houghman, Hubbard, Hutchinson, Jackson, Johnston, Jones, Jordan, Marshall, McCarty, McMakin, Mercer, Millikan, Moore, Morgan, Morrow, Nelson, Pancake, Patterson of Marshall, Phillips, Pratt, Reynolds, Riley, Robbins, Ross, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thorn, Usher, Walls, Watson, Watt, Watts, Williamson, Wilson Withers and Wittenmeyer—71.

*Those who voted in the negative were,*

Messrs. Brown of Pike, Goodwin, Humphreys, Peckenpaugh, Rice, Shook, and Willard—7.

So the bill passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Bradley, chairman of the committee on Corporations, made the following report:

**MR. SPEAKER:**

The committee on Corporations, to whom was referred bill No. 163, "an act to incorporate the Pittsburgh and Crawfordsville Plank Road Company," have had the same under consideration, and have instructed me to report the same back to the House with one amendment, and upon the adoption thereof, respectfully to recommend its passage.

Amend section 1 by inserting after the words "Hendricks county," in the tenth line, the following words, "by the way of Jamestown, in Boone county."

The bill as amended, was read a second time and ordered to be engrossed.

On motion by Mr. Nelson,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Williamson, from the committee on Corporations, made the following report;

**MR. SPEAKER:**

The committee on Corporations, to whom was referred House bill No. 213, "a bill to incorporate the Central Plank Road Company of Vanderburg county," have had the same under consideration, and

directed me to report the same back to the House and recommend its passage.

Which was concurred in, and the bill was ordered to be engrossed.

Mr. Williamson, from the committee on Corporations, made the following report :

**MR. SPEAKER :**

The committee on Corporations, to whom was referred Senate bill No. 80, a bill to reorganize the Evansville Insurance Company, chartered under the several acts of February 8, 1836, and January 21, 1850, have had the same under consideration, and directed me to report the same back to the House with an amendment, and when so amended to recommend its passage.

Which was concurred in, and the bill was ordered to be engrossed.

Mr. Bradley, chairman of the committee on Corporations, made the following report :

**MR. SPEAKER :**

The committee on Corporations, to whom was referred Senate bill No. 65, an act to incorporate the Sparta and Versailles Turnpike Company, have had the same under consideration, and have made two amendments thereto, and have instructed me to report the same back to the House, and upon the adoption of the amendments, to recommend its passage.

The amendments were adopted, and the bill was ordered to a third reading.

Mr. Bradley, chairman of the committee on Corporations, made the following report :

**MR. SPEAKER :**

The committee on Corporations, to whom was referred bill No. 146, an act to incorporate the Connersville and Milton Turnpike Company, have had the same under consideration, and have instructed me to report the same back to the House with the following amendments, and upon the adoption of said amendments, to recommend its passage.

The amendments were concurred in, and the bill was ordered to be engrossed.

Mr. Bradley, chairman of the committee on Corporations, made the following report ;

**MR. SPEAKER :**

The committee on Corporations, to whom was referred Senate bill No. 79, an act to authorize a company to construct the Manchester and Elizabeth Turnpike, have had the same under consideration, and have made sundry amendments thereto, and have instructed me to report the same back to the House, and upon the adoption of said amendments, to recommend its passage.

Which was concurred in.

On motion by Mr. Clark,

The rule was suspended, and the bill read a third time and passed. Ordered that the Clerk inform the Senate thereof.

Mr. Hicks, chairman of the committee on Benevolent and Scientific Institutions, made the following report :

**MR. SPEAKER :**

The committee on Benevolent and Scientific Institutions, to which was referred a petition praying relief to John D. Cooper, an alleged pauper, have had said petition under consideration, and have directed me to report that in their opinion the proposed case is fully provided for by law, and that any legislation on the subject is uncalled for. The committee ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Brown of Pike, from a select committee, made the following report :

**MR. SPEAKER :**

The select committee to whom was referred the petition of the Commissioners of Pike county, in relation to the employment of a physician for said county, have had the same under consideration, and have directed me to report the accompanying bill and recommend its passage.

No. 246. A bill to authorize the Board of County Commissioners of Pike county, to employ, by the year, a physician to attend on the paupers of said county.

Which was read a first and second times, the rules being suspended therefor.

On motion by Mr. Graff,

The bill was amended by adding the county of Gibson.

The bill was then ordered to be engrossed.

Mr. Millikan, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred the petitions of the citizens of school districts No. 5 and 8, in township No. 37, north of range 3 west, on the subject of levying a tax for the purpose of building a union school house in the town of Laporte, &c., have had the same under consideration, and instructed me to report the following bill, and respectfully recommend its passage:

No. 247. A bill to enable the qualified voters of school districts No. 5 and 8, in township 37, range 3 west, in Laporte county, to build a union school house, and for other purposes.

Was read a first time and passed to a second reading.

Mr. Stone, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of citizens of a certain school district in the county of Fayette, have considered the same, and instructed me to report the accompanying bill and recommend its passage.

No. 248. A bill to extend the provisions therein named to a school district therein named.

Was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Thorn, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred House bill No. 166, entitled "a bill to reduce the fees of the Clerk of the Probate Court of Knox county," have had the same under consideration, and have directed me to report back the same without amendment, and recommend its passage.

Which was concurred in.

On motion,

The rule was suspended, and the bill read a third time and passed. Ordered, that the Clerk inform the Senate thereof.

Mr. Jordan, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred sundry petitions and memorials on the subject of the legalized liquor traffic in this State, have had the same under consideration, **and** have directed me to report the following bill and recommend its passage:

No. 249. A bill to amend the 65th section of the 54th chapter of the Revised Statutes of 1843.

Was read a first time and passed to a second reading.

Mr. Bradley, from a select committee, made the following report;

MR. SPEAKER:

The select committee, to whom was referred the petition of sundry inhabitants of school district No. 2, in township No. 36; range 3 west, in Laporte county, asking the passage of an act to authorize the levying of a tax for the purpose of paying for their school house, have had the same under consideration, and have instructed me to report the accompanying bill, and to recommend its passage:

No. 230. A bill to authorize the inhabitants of school district No. 2, in township No. 36, range 3 west, in Laporte county, to levy an additional school tax.

The bill was read a first time and passed to a second reading.

#### RESOLUTIONS.

Mr. Marvin offered the following resolution:

*Resolved*, That it is inexpedient for this House to legislate on the subject of temperance.

On motion by Mr. Hamilton,

The resolution was amended by adding in the proper place "any further."

Mr. Bulla moved to lay the resolution on the table,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bulla, Campbell, Carr, Clark, Conner, Crawford, Davis of Scott, Donaldson, Goodman, Goodwin, Graff, Hall, Hamilton, Harrison, Hicks, Hosbrook, Hubbard, Jackson, Jordan, Johnston, Lawrence, Marshall, McCarty, Mercer, Moore, Morrow, Phillips, Pratt, Reynolds, Riley, Robbins, Shook, Simler, Stone, Schwartz, Thompson of Carroll, Thompson of Delaware, Watson, Watt, Wilson, Wittenmeyer, and Mr. Speaker—43.

*Those who voted in the negative were,*

Messrs. Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Caylor, Chapman, Cowan, Crim, Davis of Dubois, Edwards, Elkins, Essex, Fleece, Franklin, Gentry, Harris, Haywood, Humphreys, Hutchinson, Isom, Marquess, Marvin, McKim, McMakin, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Peckenpaugh, Rice, Ross, Shull, Stayner, Swihart of Huntington, Swihart of Wabash, Thorn, Usher, Watts, Willard, Williamson, and Withers—43.

So the resolution was not laid upon the table.

Mr. Graff moved that the House adjourn.

Which motion did not prevail.

Mr. Donaldson moved to adjourn.

Which motion did not prevail.

The question then being on the adoption of the resolution;

The ayes and noes being demanded by Messrs. Goodwin and Clark,

*Those who voted in the affirmative were,*

Messrs. Bradley, Brown of Pike, Brown of Shelby, Caylor, Chapman, Cowan, Davis of Dubois, Edwards, Elkins, Essex, Fleece, Franklin, Gentry, Harris, Haywood, Humphreys, Marvin, McKim, McMakin, Morgan, Nelson, Painter, Peckenpaugh, Shull, Swihart of Huntington, Swihart of Wabash, Usher, Watts, Willard, and Williamson—30.

*Those who voted in the negative were,*

Messrs. Armstrong, Bird, Blue, Bulla, Campbell, Carr, Clark, Conner, Crawford, Crim, Davis of Scott, Donaldson, Goodman, Goodwin, Graff, Hall, Hamilton, Harrison, Hicks, Hosbrook, Hubbard, Hutchinson, Isom, Jackson, Johnston, Jones, Jordan, Lawrence, Marquess, Marshall, McCarty, Mercer, Moore, Morrow, Pancake, Patterson of Marshall, Phillips, Pratt, Reynolds, Rice, Riley, Robbins, Ross, Shook, Simler, Stayner, Stone, Schwartz, Thompson of Carroll, Thompson of Delaware, Thorn, Walls, Watson, Watt, Wilson, Withers, Wittenmeyer, and Mr. Speaker—58.

So the resolution was not adopted.

On motion,

The House adjourned, to meet at 2 o'clock, P. M.

2 o'clock, P. M.

The House met.

# ORDERS OF THE DAY.

On motion,

The order of business was suspended.

Mr. Ross, from the committee on Corporations, made the following report :

MR. SPEAKER :

The committee on Corporations, to whom was referred bill of the House, No. 171, have had the same under consideration, and [have directed me to report the same back to the House, without amendment, and recommend its passage.

No. 171. A bill to amend an act entitled an act to incorporate the Logansport and Wabash Bridge Company, approved February 7, 1835.

Which was concurred in, and the bill was ordered to be engrossed.

Mr. Graff moved that the order of business be suspended.

Which motion did not prevail.

# MESSAGES OF THE SENATE.

A message from the Senate by Mr. Emerson, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House with sundry amendments :

No. 111. An act amendatory of the act incorporating the townships of Dearborn county, so far as to authorize the Board of County Commissioners of said county to establish additional election precincts, if they deem it expedient.

In which amendments the concurrence of the House is respectfully requested.

The amendments of the senate were concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson their Secretary :



MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House, with one amendment:

No. 95. An act authorizing the location of a State road from Hartford, in Blackford county, through New Cumberland, in Grant county, to Kokomo, in Howard county.

In which amendment the concurrence of the House is respectfully requested.

The amendments of the Senate were concurred in.

Ordered that the Clerk inform the Senate thereof.

#### SENATE BILLS ON FIRST READING.

No. 19. A bill to amend an act entitled "an act to increase and extend the benefits of common schools, approved January 17, 1849;

No. 90. A bill to incorporate the Ohio and Wabash Plank Road Company;

Were each read a first time and passed to a second reading.

No. 98. A bill for the protection of persons and property on Rail Roads;

Was read a first time.

On motion,

The rule was suspended and the bill read a second time, and

On motion by Mr. Usher,

Was referred to the committee on the Judiciary.

No. 103. A bill to authorize the Governor, Auditor, and Treasurer of State, to borrow money, to pay the interest due on the funded debt, on the first day of July next, and defray the expenses of the Constitutional Convention;

Which was read a first time and passed to a second reading.

No. 129. A bill for the construction of a sewer at the State Prison;

Was read a second time.

On motion by Mr. Pratt,

The rule was suspended, the bill read a second time, and referred to the committee on the State Prison.

No. 130. A bill declaring Mill creek, in Morgan county, a public highway;

No. 131. A bill to incorporate the New Albany Hotel Company;

No. 139. A bill to legalize the acts of the late Treasurer of Elkhart county, and to extend the time of paying taxes in said county;

No. 156. A bill to change the name of Joseph Grandison Jones, to that of Joseph Grandison Talbot;

No. 162. A bill to change the next February term of the Probate Court of Hamilton county;

No. 163. A bill to repeal an act entitled "an act to amend an act entitled an act to require certain Statutes to be published in some newspaper at Indianapolis, and for other purposes, approved January 20 1846;

Were severally read a first time and passed to a second reading.

On motion,

The order of business was suspended, and,

Mr. Hamilton introduced bill,

No. 251. A bill in relation to Supervisors of roads and highways in Jackson county;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended, and

Mr. Davis of Scott introduced bill,

No. 252. A bill to repeal the first thirteen sections of chapter fifty. of the Revised Statutes, so far as relates to the counties of Scott and Greene;

Wass read a first time.

On motion,

The rule was suspended, the bill read a second time, and ordered to be engrossed.

The Speaker laid before the House the following communication, from the Auditor of State:

OFFICE OF AUDITOR OF STATE,  
INDIANAPOLIS, January 25, 1851.

HON. E. DUMONT,

*Speaker of the House of Representatives:*

SIR:—In compliance with a resolution of the House, I have the honor to submit the following statement of the General Expenses of the Wabash and Erie Canal west, from the first day of October, 1849, to the first day of October, 1850, as reported to this office, by the Board of Trustees. The sum total within the period here named, is \$19,803 04.

I am,

Very respectfully, &c.,

E. W. H. ELLIS,

*Auditor of State.*

*Statement of the general expenses of the Wabash and Erie Canal Trust, from the 1st of October, 1849, to the 1st October, 1850, as reported to the office of the Auditor of State by the Board of Trustees.*

| <i>Date.</i> | <i>No. of Voucher.</i> | <i>To whom paid.</i>          | <i>On what account paid.</i>         | <i>Amount.</i> |
|--------------|------------------------|-------------------------------|--------------------------------------|----------------|
| 1849.        |                        |                               |                                      |                |
| October 3,   | 1261                   | Postmaster, .....             | Postage account, .....               | \$27 98        |
| October 5,   | 1267                   | S. G. Dodge, .....            | Salary as clerk, .....               | 79 00          |
| October 9,   | 1273                   | A. W. Morris, .....           | Clerkship, .....                     | 200 00         |
| October 13,  | 1280                   | S. G. Dodge, .....            | Salary as clerk, .....               | 50 00          |
| November 5,  | 1297                   | J. H. Hager, .....            | Same, .....                          | 46 50          |
| November 10, | 1298                   | Chas. Wood, .....             | Rent of office, .....                | 43 75          |
| November 13, | 1303                   | S. G. Dodge, .....            | Salary, .....                        | 50 00          |
| November 30, | 1382                   | D. D. Pratt, .....            | Professional services as Atty.,      | 40 00          |
| November 30, | 1384                   | Charles Butler, .....         | Salary, cl'k hire and expenses,      | 3,469 81       |
| November 30, | 1385                   | Th. H. Black, .....           | Balance of salary, .....             | 300 00         |
| December 3,  | 1390                   | A. M. Puett, .....            | Salary and expenses, .....           | 800 00         |
| December 5,  | 1393                   | W. D. Griswold, .....         | Taking depositions in Toledo,        | 62 50          |
| December 10, | 1412                   | S. G. Dodge, .....            | Salary, .....                        | 30 00          |
| December 13, | 1423                   | S. G. Dodge, .....            | Salary, .....                        | 50 00          |
| December 13, | 1424                   | J. Rosser and Brother, .....  | Books and stationery, .....          | 118 63         |
| December 19, | 1435                   | T. H. Blake, .....            | Balance of salary, .....             | 175 66         |
| December 19, | 1436                   | J. H. Hager, .....            | Salary as clerk, .....               | 75 00          |
| December 28, | 1459                   | A. W. Morris, .....           | Clerkship, .....                     | 100 00         |
| 1850,        |                        |                               |                                      |                |
| January 4,   | 1475                   | J. T. Moffat, .....           | Postage account, .....               | 29 24          |
| January 4,   | 1478                   | S. G. Dodge, .....            | Salary, .....                        | 200 00         |
| January 5,   | 1481                   | A. Child, .....               | Stationery account, .....            | 44 88          |
| January 9,   | 1489                   | Graft and Brymer, .....       | Office expenses, .....               | 7 75           |
| January 9,   | 1490                   | Dole and Dole, .....          | Livery stable expenses, .....        | 37 87          |
| January 12,  | 1491                   | W. W. Reynolds, .....         | Furnishing office, .....             | 51 31          |
| January 12,  | 1492                   | L. Ryce, .....                | Same, .....                          | 30 00          |
| January 12,  | 1493                   | A. Hoffman, .....             | Same, .....                          | 6 95           |
| January 12,  | 1494                   | J. Grantham, .....            | Livery stable expenses, .....        | 15 00          |
| January 12,  | 1495                   | J. H. Hager, .....            | Salary, .....                        | 103 75         |
| January 23,  | 1505                   | S. Wollen, .....              | Freight, .....                       | 6 00           |
| January 25,  | 1508                   | S. G. Dodge, .....            | Salary, .....                        | 120 00         |
| January 25,  | 1509                   | J. P. Collins, .....          | Contingent expenses, .....           | 8 00           |
| January 26,  | 1570                   | A. M. Puett, .....            | Same, .....                          | 100 00         |
| January 26,  | 1511                   | J. McChesney, .....           | Same, .....                          | 3 00           |
| February 2,  | 1579                   | A. M. Puett, .....            | Salary and expenses, .....           | 500 00         |
| February 4,  | 1581                   | W. G. Coffin, .....           | Sundry claims, .....                 | 203 00         |
| February 4,  | 1582                   | J. H. Hager, .....            | Salary, .....                        | 50 00          |
| February 8,  | 1588                   | J. H. Hager, .....            | Salary, .....                        | 100 00         |
| February 9,  | 1590                   | Perkins and Buckingham, ..... | Stationery, .....                    | 15 70          |
| February 9,  | 1595                   | J. H. Hager, .....            | Salary as clerk, .....               | 102 90         |
| February 14, | 1599                   | S. G. Dodge, .....            | Same, .....                          | 50 00          |
| February 28, | 1607                   | Wm. D. Griswold, .....        | Depositions at Lafayette, .....      | 62 75          |
| March 2,     | 1611                   | S. G. Dodge, .....            | Salary as clerk, .....               | 50 00          |
| April 16,    | 1709                   | Jas. P. Collins, .....        | Clerk in Engineer's office, .....    | 125 00         |
| April 16,    | 1710                   | Same, .....                   | Expenses to Washington, .....        | 12 00          |
| April 23,    | 1745                   | S. G. Dodge, .....            | Salary as clerk, .....               | 150 00         |
| April 30,    | 1750                   | Jno. B. Blake, .....          | Office rent, .....                   | 100 00         |
| May 1,       | 1752                   | S. G. Dodge, .....            | Salary as clerk, .....               | 70 00          |
| May 4,       | 1756                   | J. H. Hager, .....            | do, .....                            | 25 00          |
| May 8,       | 1759                   | S. G. Dodge, .....            | do, .....                            | 40 00          |
| May 8,       | 1763                   | J. H. Hager, .....            | do, .....                            | 25 00          |
| May 11,      | 1765                   | A. M. Puett, .....            | Salary as trustee, .....             | 500 00         |
| May 11,      | 1766                   | Thos. Dowling, .....          | do, .....                            | 200 00         |
| May 12,      | 1772                   | C. H. Bailey, .....           | Expenses to Lafayette, .....         | 8 60           |
| May 15,      | 1777                   | J. D. Defrees, .....          | Advertising and stationery, .....    | 4 00           |
| June 8,      | 1807                   | Lane and Wilson, .....        | Attorney's fees and expenses, .....  | 100 00         |
| June 8,      | 1811                   | J. H. Hager, .....            | Salary as clerk, .....               | 50 00          |
| June 8,      | 1813                   | A. M. Puett, .....            | Salary as trustee, .....             | 500 00         |
| June 10,     | 1821                   | J. H. Hager, .....            | Salary as clerk, .....               | 550 00         |
| June 26,     | 1894                   | Chas. Butler, .....           | Salary and expenses, .....           | 7,282 36       |
| July 1,      | 1916                   | Thos. Dowling, .....          | do, .....                            | 254 06         |
| July 1,      | 1920                   | J. Ganean, .....              | Office furniture, .....              | 24 00          |
| July 2,      | 1922                   | Jas. T. Moffat, .....         | Postage account, .....               | 26 93          |
| July 3,      | 2934                   | S. G. Dodge, .....            | Salary as clerk, .....               | 95 86          |
| July 3,      | 1944                   | J. P. Collins, .....          | Services as cl'k and expenses, ..... | 135 50         |

*Statement of the general expenses of the Wabash and Erie Canal Trust—Continued.*

| <i>Date.</i> | <i>No. of<br/>Voucher.</i> | <i>To whom paid.</i>          | <i>On what account paid.</i> | <i>Amount.</i> |
|--------------|----------------------------|-------------------------------|------------------------------|----------------|
| July 23,     | 1961                       | Thos. Dowling, .....          | Salary and expenses, .....   | 50 00          |
| July 26,     | 1965                       | J. H. Hager, .....            | Salary as clerk, .....       | 104 75         |
| August 1,    | 1966                       | A. M. Puett, .....            | Contingent expenses, .....   | 150 00         |
| August 9,    | 1976                       | Jno. Rosser and Brother, .... | Books and stationery, .....  | 140 25         |
| August 16,   | 2047                       | A. M. Puett, .....            | Salary and expenses, .....   | 350 00         |
| August 19,   | 2053                       | J. P. Collins, .....          | Clerkship, .....             | 50 00          |
| August 19,   | 2054                       | S. G. Dodge, .....            | Salary as clerk, .....       | 100 00         |
| August 24,   | 2055                       | J. H. Hager, .....            | do, .....                    | 100 00         |
| August 2,    | 2059                       | A. H. Brown, .....            | Bill of printing, .....      | 13 00          |
| August 3,    | 2061                       | Thos. Dowling, .....          | Salary and expenses, .....   | 250 00         |
| August 6,    | 2063                       | Thos. Dowling, .....          | do, .....                    | 250 00         |
| August 16,   | 2069                       | J. H. Hager, .....            | Salary as clerk, .....       | 60 00          |
| August 19,   | 2071                       | Thos. Dowling, .....          | Salary and expenses, .....   | 100 00         |
| August 19,   | 2072                       | Jno. B. Blake, .....          | Rent of office, .....        | 50 00          |
| August 23,   | 2074                       | J. H. Hager, .....            | Salary as clerk, .....       | 140 00         |
| Total, ..... |                            |                               |                              | \$19,803 04    |

Mr. Thorn moved to lay the report upon the table, and that 100 copies be printed for the use of this House.

Mr. Edwards called a division of the question,

The question being to lay the report upon the table;

Was decided in the affirmative.

The question then being to print 100 copies;

Was decided in the negative.

On motion by Mr. Willard,

The committee of Ways and Means, was granted leave of absence for this afternoon.

On motion by Thorn,

The vote on laying the report of the Auditor of State upon the table, was reconsidered.

On motion by Mr. Thorn,

The report was referred to the committee on Canals and Internal Improvements.

#### HOUSE BILLS ON THIRD READING.

No. 12. A bill to amend section 11, chapter 56, of Revised Statutes of 1843, authorizing Coroners to pay the expenses of inquest and burial;

No. 74. A bill in relation to sales of lands forfeited to the State by borrowers of College and other funds;

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Fleece moved that the order of business be suspended;

Which motion did not prevail.

No. 159. A bill for the relief of Geo. Coit;

No. 175. A bill authorizing John Heiny to build a mill dam across the Salamonina river;

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 176. A bill in relation to executions issued by Justices of the Peace;

Was read a third time.

Mr. Humphreys moved to indefinitely postpone the bill;

Which motion did not prevail.

Mr. Thorn moved to recommit the bill to the committee on the Judiciary, with the following instructions:

Strike out "120" days, and insert "6 months."

Which motion did not prevail.

The question then being,

"Shall the bill pass?"

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Blue, Bradley, Campbell, Carr, Caylor, Chapman, Clark, Crawford, Crim, Davis of Dubois, Edwards, Essex, Fleece, Hamilton, Haywood, Hicks, Hosbrook, Isom, Jones, Lindsey, McKim, Mercer, Millikan, Patterson of Marshall, Peckenpaugh, Phillips, Pratt, Reynolds, Riley, Robbins, Stone, Schwartz, Swihart of Huntington, Thompson of Carroll, Usher, Watt, Watts, Wittenmeyer, and Mr. Speaker—39.

*Those who voted in the negative were,*

Messrs. Brown of Pike, Conner, Cowan, Davis of Scott, Donaldson, Elkins, Franklin, Gentry, Goodman, Goodwin, Graff, Hall, Harris, Harrison, Houghman, Hubbard, Humphreys, Jackson, Johnston, Jordan, Lawrence, Marquess, Marshall, Marvin, McCarty, McMakin, Moore, Morrow, Nelson, Painter, Pancake, Rice, Ross, Shook, Shull, Stayner, Swihart of Wabash, Thompson of Delaware, Thorn, Walls, Watson, Williamson, Wilson, and Withers—43.

So the bill did not pass.

On motion by Mr. Hicks,

Leave of absence was granted the committee on Benevolent and Scientific Institutions.

No. 179. A bill to prohibit the traffic of intoxicating liquors in the town of Columbus;

Was read a first time.

Mr. Marvin moved to indefinitely postpone the bill.

A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House without amendment:

No. 128. An act to amend an act to declare certain water courses in the counties of Perry and Spencer public highways, and for other purposes, approved January 17, 1850;

No. 136. An act to change the names of the persons therein named;

No. 138. An act to locate a State road in the counties of Pulaski, Starke, and Laporte;

No. 149. An act to authorize Lloyd Brown and Eli Brown to erect and maintain a mill dam across White river, in Madison county;

No. 155. An act to revive and extend the provisions of an act to incorporate the town of Anderson, approved February 17, 1849;

Mr. Jackson from the committee on Engrossed Bills, made the following report:

MR. SPEAKER :

The committee on Engrossed Bills, have carefully compared the following engrossed bills, and found the same correctly enrolled, viz: Nos. 135, 61, 15, 65, 88, 107, 104, 157, 132, 147, 195, 196, 31, 206, 173, 124, 156, 184, 202, 161, 171, 238, 165, 162, and 164.

Mr. Shook, chairman of the committee on Enrolled Bills, made the following report:

MR. SPEAKER :

The committee on Enrolled Bills have examined the following and find it correctly enrolled:

No. 144. "An act to change the time of holding the February term of the Crawford Probate Court."

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Shook, chairman of the committee on Enrolled Bills, made the following report:

MR. SPEAKER :

The committee on Enrolled Bills have examined the following bill and find it correctly enrolled:

No. 54. An act to further amend an act entitled "an act to incorporate the Michigan Road Company," approved January 13, 1845, and for other purposes.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Pending the question to indefinitely postpone House bill No. 179,

On motion by Mr. Chapman,

The House adjourned to meet Monday morning, 9 o'clock.

## MONDAY MORNING, January 27, 1851.

House met.

On motion by Mr. Edwards,

The reading of the Journal was dispensed with.

The hour having arrived,

On motion,

The House went into the committee of the whole on House bill No. 160,

Mr. Edwards in the chair.

After remaining in session for some time, the committee rose and made the following report through Mr. Edwards, their chairman :

**MR. SPEAKER :**

The committee of the whole House, to whom was referred bill of the House No. 160, entitled an act for the more effectual, just, and equal assessment and valuation of the real estate, personal property, moneys, rights, credits, effects, and corporation stock in the State of Indiana, have had the same under consideration, and have directed me to report that they have made progress, and ask leave to sit again.

On motion by Mr. Brown of Shelby,

A call of the House was made.

On motion,

Leave of absence was granted Messrs. Benson, Essex, Goodman, Harris, Lank, Lawrence, Patterson, and O'Neal.

On motion by Mr. Chapman,

The absentees were sent for, to-wit :

Messrs. Armstrong, Coburn, Gentry, Hammond, Harrison, Hosbrook, McCarty, Mercer, and Pratt.

Mr. Clark moved to suspend a further call of the House.  
Which was decided in the negative.

On motion by Mr. Ross,  
A further call of the House was dispensed with.

On motion by Mr. Phillips,  
Bill No. 205 was withdrawn from the files of the House.

On motion by Mr. Chapman,  
The House went into committee of the whole, Mr. Edwards in the chair, on House bill

No. 160. A bill for the more effectual, just, and equal assessment and valuation of the real estate, personal property, moneys, rights, credits, effects, and corporation stock in the State of Indiana.

After spending some time, the committee rose and made the following report through Mr. Edwards, their chairman.

MR. SPEAKER :

The committee of the whole House, to whom was referred bill of the House No. 160, entitled "an act for the more effectual, just, and equal assessment and valuation of the real estate, personal property, moneys, rights, credits, effects, and corporation stock in the State of Indiana, have had the same under consideration and have directed me to report that they have proposed sundry amendments to the bill and ask leave to sit again.

On motion by Mr. Chapman,  
The House adjourned to meet at 2 o'clock, P. M.

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2 o'clock, P. M.

House met.

#### ORDERS OF THE DAY.

On motion by Mr. Brown of Shelby,  
The House went into the committee of the whole on House bill No. 160. A bill for the more effectual, just, and equal assessment and valuation of the real estate, personal property, moneys, rights, credits effects, and corporation stock in the State of Indiana, Mr. Edwards in the chair.



After spending some time the committee arose and made the following report by Mr. Edwards, their chairman :

MR. SPEAKER :

The committee of the whole House, to whom was referred bill of the House No. 160, an act for the more effectual, just, and equal assessment and valuation of the real estate, personal property, moneys, rights, credits, effects, and corporation stock in the State of Indiana, have had the same under consideration, and have directed me to report that they have made sundry amendments thereto, and beg leave to be discharged from the further consideration thereof.

On motion,

The order of business was suspended, and Mr. Brown of Shelby offered the following resolution :

*Resolved*, That John O'Kane, agent of the board of commissioners of the North-western Christian University be permitted to occupy the Hall of the House on Thursday evening next to deliver a lecture upon the subject of the claims of said University.

Which was adopted.

On motion,

The order of business was suspended and Mr. Davis of Dubois offered the following resolution :

*Resolved*, That this House will, for the purpose of hastening the business of legislation, meet hereafter at 7 o'clock each evening and hold an evening session, and that the principal clerk be authorized, and the door-keeper be empowered to employ each another assistant.

Which was not adopted.

On motion,

The order of business was suspended, and Mr. Goodwin introduced the following resolution :

*Resolved*, That leave of absence shall not be granted to any member of this House for any part of the remainder of this session unless the reason therefor be set forth on the Journal, and be approved by a majority of this House.

Which was adopted.

On motion,

The order of business was suspended and Mr. Ross introduced the following resolution :

*Resolved*, That this House will meet during the remainder of this session at half-past 8 o'clock, A. M., and half-past 1 o'clock, P. M.

Which was adopted.

Mr. Shook, chairman of the committee on Enrolled Bills, made the following report:

MR. SPEAKER :

The committee on enrolled bills have compared the following, and find them correctly enrolled:

Nos. 52, 56, 17, 50, and 33.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Coburn, Chairman of the committee on Engrossed Bills, made the following report:

MR. SPEAKER :

The committee on Engrossed Bills have compared the following engrossed bills of the House and find them correctly engrossed, viz :

Nos. 244, 248, 175, 166, 159, 74, 12, and 163.

On motion by Mr. Nelson,

The House adjourned to meet to-morrow morning at 9 o'clock.

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TUESDAY MORNING, January 28, 1851.

The House met.

The Journal of the preceding day was read and adopted.

A message from the Senate by Mr. Emerson their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the engrossed amendments of the House to engrossed bills of the Senate:

No. 1. An act for the relief of borrowers of the School Fund.

No. 36. An act to incorporate the Cicero and Kirklin Plank Road Company.

No. 38. An act to legalize the election of the Treasurer of Madison county.

A Message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House without amendment:

No. 183. An act for the relief of persons who are likely to suffer by the destruction of the records of Sullivan county.

No. 218. An act to amend an act entitled an act to extend the term of the Probate Court of the county of Monroe, and for other purposes, approved January 21, 1850.

A message from the Senate, by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the engrossed amendment of the House to engrossed bill of the Senate;

No. 79. An act to authorize a company to construct the Manchester and Elizabethtown turnpike.

A message from the Senate, by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House without amendment:

No. 104. An act to amend an act entitled an act changing the mode of doing county business in the counties of Crawford, Dubois and Perry, and for other purposes.

No. 184. An act to change the name of Shadrach Anderson to that of William Johnson.

No. 200. A joint resolution on the subject of the Michigan City Harbor.

No. 210. An act to enable the Board of Commissioners of Lake county to borrow money to build and finish a court house and jail.

No. 221. An act to amend an act entitled an act to incorporate the Ladies' Sigourney Library at Logansport, approved December 27, 1848.

On motion by Mr. Walls,

The order of business was suspended, and,

Senate bill No. 171. A bill legalizing the proceedings of a certain Plank Road Company,

Was taken up, read a first time,

On motion,

The rule was suspended, the bill read a second and third times and passed.

Ordered that the Clerk inform the Senate thereof.

The hour having arrived for the special order of the day,

Bill No. 35. A bill to incorporate the Cincinnati and Indianapolis Railroad company,

Was taken up.

Mr. Ross offered the following amendment:

Amend by striking out so much as allows the issuing of scrip, bonds or notes, predicated upon the subscriptions of real estate.

On motion by Mr. Chapman,

A call of the House was ordered.

On motion,

Leave of absence was granted Mr. Lank, who had gone home.

On motion,

Messrs. Patterson of Tippecanoe, Cox and O'Neal were granted leave of absence on account of sickness.

On motion by Mr. Bird,

A further call of the House was dispensed with.

Mr. Brown of Shelby moved to indefinitely postpone the bill.

The ayes and noes being demanded by Messrs. Brown of Shelby and Ross,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Brown of Pike, Brown of Shelby, Bulla, Campbell, Carr, Caylor, Chapman, Clark, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Elkins, Essex, Franklin, Gentry, Goodwin, Graff, Hall, Hamilton, Haywood, Houghman, Hubbard, Humphreys, Hutchinson, Isom, Jackson, Jordan, Lewis, Lindsey, Marshall, McKim, Mercer, Millikan, Moore, Morgan, Morrow, Nelson, Painter, Peckenpaugh, Phillips, Rice, Robbins, Shook, Shull, Simler, Stayner, Schwartz, Thompson of Delaware, Thorn, Walls, Watson, Watt, Watts, Willard, and Wittenmeyer—61.

*Those who voted in the negative were,*

Messrs. Coburn, Conner, Cowan, Edwards, Fleece, Goodman, Hammond, Harris, Hosbrook, Johnston, Marvin, McCarty, McMakin, Pancake, Patterson of Marshall, Riley, Ross, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Usher, Williamson, Wilson and Withers—24.

So the bill was indefinitely postponed.

On motion by Mr. Walls,

The House adjourned, to meet at two o'clock, P. M.

2 o'clock, P. M.

The House met.

# ORDERS OF THE DAY.

On motion,

The order of business was suspended, and

Mr. McClelland, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred House bill, No. 46, have had the same under consideration and have directed me to make the following report:

WHEREAS, The evils arising from the extensive circulation of injurious and spurious compounds under the name of Patent Medicines, have, within the last few years, been immensely on the increase;

AND WHEREAS, Your committee do firmly believe that numbers of unscientific, ignorant, and unprincipled pretenders to the science of medicine, are engaged in the preparation and circulation of Patent Medicines, with no other view than that of filthy lucre; and believing as your committee does, that such extensive, unrestricted, and unlimited sale of these nostrums is injurious both to the morals, the health, and the pecuniary welfare of the citizens of this State—acting as your committee have cause to believe, detrimentally on the morals of the community, by fostering imposture and encouraging imposition—holding out to retailers the inducement of a large profit in per centage, without the employment of any capital, thus causing many persons to engage and participate in the sale of worthless articles, at prices very far exceeding the just selling price of such article, thereby practicing a foul imposition upon the public, injuring the health of the community by imposing on their credulity, inducing them by false and often forged certificates, to rely upon feeble and inert remedies, thus, in many cases, allowing a dangerous disease, (which if properly treated in time, could have been easily checked,) to make fatal inroads upon the health and lives of our citizens. Pecuniarily injuring our interests, by taking an immense amount of money out of our State, directly from the pockets of our citizens, to enrich the already well filled coffers of some eastern Patent Medicine vender, who pockets the money without having given to our citizens any adequate value therefor. In view of these and many similar facts, the committee beg leave to present the following bill, and recommend its passage:

No. 46. A bill to prevent imposition in the sale of secret or Patent Medicines.

Mr. Bird moved to indefinitely postpone the bill ;

Which motion did not prevail.

Mr. Simler moved to amend by inserting the following:

That when a Physician talks about Pacoon root, he shall not say *Sanguinaria Canedensis*; that when he means Thorawort, he shall not say *Ecpatorium Pelfoliatim*, then when he means May Apple root, he shall not be allowed to say *Podophytum Peltatum*; that when he means Poplar tree, he shall not be allowed to say *Lireodendrom Tulipiphera*; that when he means Calomel, he shall not be allowed to say *Muriate Hydrargiri*, and that he shall not use Dog latin under the penalty of fifty pukes, to be administered gratis.

Mr. Davis of Scott, moved to amend the amendment as follows:

*Provided*, there shall be a Physician employed in each county in this State, to examine all Patent Medicines, and set the price at which all such Medicines shall be sold.

Mr. Crawford moved to lay the bill on the table ;

Which motion did not prevail.

The question being on the adoption of the amendments ;

Was decided in the affirmative.

Mr. Davis of Scott, moved to lay the bill on the table ;

Which motion did not prevail.

The question then being,

"Shall the bill be engrossed ?"

Was decided in the negative.

On motion,

The order of business was suspended, and,

Mr. Swihart of Wabash, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was referred a petition from sundry citizens of Wabash county, in relation to doing township business in said county, have had the same under consideration and directed me to report the accompanying bill and recommend its passage :

No. 253. A bill to regulate the mode of doing township business in the county of Wabash ;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended.

Mr. Willard presented the petition of E. D. McMasters and others, on the propriety of making appropriation for purchasing territory in Africa, for colonization ;

Which,

On motion,

Was referred to the committee on colonization.

On motion,

The order of business was suspended.

Mr. McClelland presented the memorial of the ladies of Clinton county, on the subject of Temperance ;

Which,

On motion,

Was referred to the committee on Temperance.

On motion,

The order of business was suspended.

Mr. Walls presented the petition of the inhabitants of Congressional Township, No. 6, Range 4 west, for the relief of John Masterson ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Walls, Hutchinson, and Lewis ;

On motion,

The order of business was suspended.

Mr. Haywood presented the petition of the ladies and gentlemen of Rush county, on the subject of Temperance ;

Which,

On motion,

Was referred to the committee on Temperance.

On motion,

The order of business was suspended.

Mr. Hutchinson introduced,

No. 254. A bill for the sale of the Public Square of Evansville, and the application of its proceeds to the erection of new county buildings for Vanderburgh county ;

Which was read a first time ;

On motion,

The rule was suspended, the bill read a second time and referred to a select committee consisting of Messrs. Walls, Lewis, and Hutchinson.

On motion,

The order of business was suspended.

Mr. Hammond presented the petition of sundry citizens of Morgan county, on the subject of building a bridge across West Fork of White river ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Hammond and Franklin.

On motion,

The order of business was suspended.

Mr. Johnston presented the petition of sundry citizens of Putnam county, praying a special act therein named to be repealed;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Johnston and Hammond.

On motion,

The order of business was suspended, and

Mr. Benson presented the petition of the citizens of Warren county on the subject of temperance;

Which,

On motion,

Was referred to the committee on Temperance.

On motion,

The order of business was suspended, and

Mr. Patterson of Marshall presented the petition of the citizens of Marshall county on the subject of a school district in said county;

Which,

On motion,

Was referred to a select committee of three, consisting of Messrs. Patterson of Marshall, Hammond, and Jones.

On motion,

The order of business was suspended, and

Mr. Patterson of Marshall presented three petitions on the subject of temperance;

Which,

On motion,

Were referred to the committee on Temperance.

On motion,

The order of business was suspended, and

Mr. Jordan presented two petitions from the ladies and gentlemen of Henry county on the subject of temperance;

Which,

On motion,

Was referred to a select committee of three consisting of Messrs. Jordan, Bulla, and Lawrence.

On motion,

The order of business was suspended.

Mr. Hosbrook, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee, to whom was referred joint resolution No. 154, in relation to the Governor's Circle building, have had the same under consideration, and respectfully report the same back for the action of the House, and ask to be discharged from the further consideration of the same.



Mr. McClelland offered the following amendment:

Amend by inserting in the proper place "that they shall pay to the State annually, the sum of \$100.

Mr. Edwards moved to amend the amendment by striking out \$100 and inserting \$500.

On motion by Mr. Graff,

The bill and pending amendments were indefinitely postponed.

The question pending at the adjournment on Saturday last was, shall House bill

No. 179. A bill to prohibit the traffic of intoxicating liquors in the town of Columbus,

Be indefinitely postponed?

Mr. Marvin withdrew the motion to indefinitely postpone.

The question being shall the bill pass?

The ayes and noes being demanded by Messrs. Crawford and Hammond,

*Those who voted in the affirmative were,*

Messrs. Benson, Bradley, Bulla, Carr, Clark, Coburn, Conner, Cowan, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Fleece, Goodman, Goodwin, Graff, Hall, Hamilton, Hammond, Harrison, Hicks, Hosbrook, Houghman, Hubbard, Hutchinson, Jackson, Jones, Jordan, Lawrence, Lindsey, Marshall, McCarty, McClelland, Mercer, Millikan, Moore, Morrow, Peckenpaugh, Phillips, Pratt, Reynolds, Riley, Robbins, Shook, Schwartz, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Walls, Watt, Watts, Withers, Wittenmeyer, and Mr. Speaker—56.

*Those who voted in the negative were,*

Messrs. Armstrong, Bird, Blue, Brown of Pike, Brown of Shelby, Chapman, Elkins, Essex, Franklin, Gentry, Harris, Haywood, Humphreys, Marquess, Marvin, McKim, McMakin, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Rice, Ross, Shull, Simler, Stayner, Swihart of Huntington, Swihart of Wabash, Watson, Willard, Williamson, and Wilson—33.

So the bill passed.

Mr. Essex offered the following amendment to the title:

Strike out all after the words "an act," and insert "to authorize druggists to keep tipling houses in the town of Columbus."

Which was not adopted.

On motion,

The order of business was suspended.

Mr. Chapman introduced

No. 255. A bill to incorporate a fire engine company at North Madison;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

Mr. Humphreys introduced

No. 256. A bill to authorize a special session of the Greene Circuit Court;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

Mr. Donaldson, from the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred the petition of the stockholders of the Central Plank Road Company, have had the same under consideration, and directed me to report the following bill and respectfully recommend its passage;

No. 257. A bill to amend the charter of the Central Plank Road Company.

Was read a first time, and passed to a second reading.

On motion,

The order of business was suspended and,

Mr. Bird, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of sundry citizens of Allen county, asking that deeds may be made for a less number than eighty acres of canal land, where a certificate is issued for a larger quantity, have had the same under consideration, and have directed me to report:

It has been the practice of the State, in making deeds for canal land, to demand the surrender of the original certificate, and though cases of hardship have arisen, no doubt, it is difficult to find a remedy in every case. A person purchases from the State a tract of eighty acres, and pays one-fourth of the purchase money, leaving a balance against the land certificate being issued to him therefor before he pays for the land. He sells forty acres to his neighbor, and one or the other of the parties neglects to pay his share of the purchase money, the State having given her certificate to the original purchaser can have no knowledge of the transaction between the

other parties, the holder of the certificate being the only person known to the State. No law of Indiana has yet provided a remedy for the cases noticed in the petition, and while the State controlled these lands on her own account, we are not aware that it was ever attempted.

Your committee are of opinion that the Trustees of the Wabash and Erie Canal are the persons to whom this application should be made, as the laws which governed the sales of these lands at the organization of the Trust, must continue to govern them, and that any legislation upon the subject would be inexpedient. The Trustees have the power and the undoubted right to meet cases of hardship of the nature referred to by the petitioners; and that they will do so, your committee have the strongest assurance and the utmost confidence. Believing that the petitioners will more readily accomplish all they desire in the mode proposed, the committee ask to be discharged from the further consideration of the subject.

Which was concurred in.

On motion,

The order of business was suspended, and

Mr. Lewis, chairman of the committee on Education, made the following report :

**MR. SPEAKER :**

The committee on Education, to whom has been referred sundry memorials on the subject of consolidation, revision, amendment and publishing the school laws now in operation in this State, have had the subject under consideration, and have directed me to report, that in view of the prospect of an entire modification of those laws contemplated by the Constitution soon to be submitted to the people for their acceptance, they deem any legislation at this time inexpedient, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

A message from the Governor, by Mr. Noel, Executive Messenger

**MR. SPEAKER :**

I am directed by the Governor to inform the House of Representatives that he has this day approved and signed the following bills:

No. 144. An act to change the time of holding the February term of the Crawford Probate Court.

No. 54. An act to further amend an act entitled "an act to incorporate the Michigan Road," approved January 13, 1845, and for other purposes.

No. 109. An act to vacate part of Water street, in the town of Williamsport, in the county of Warren and State of Indiana.

No. 69. An act to reduce the fees of the Recorder of the county of Brown.

No. 17. An act to repeal an act therein named.

No. 33. An act to authorize County Auditors to appoint Deputies.

No. 50. An act to repeal an act entitled "an act to incorporate the LaGrange Phalanx," [approved] January 13, 1845.

No. 56. An act to authorize the sale of school lands in Perry county.

No. 52. An act to amend an act regulating the jurisdiction and duties of Justices of the Peace in the county of Dearborn.

No. 101. An act to amend an act entitled "an act to incorporate certain turnpike companies therein named," approved January 29, 1839.

No. 92. A joint resolution authorizing the United States to purchase a site and erect a Marine Hospital at Evansville, or in its immediate vicinity.

No. 69. An act relative to the purchase of books made by the Governor for the use of the convicts in the State Prison, and for other purposes.

No. 73. An act to amend an act entitled "an act to incorporate the White County Monticello Bridge Company," approved January 15, 1850.

No. 64. An act to enable the inhabitants of school district No. 8, in congressional township No. 36, north of range No. 3 west, in the county of Laporte, to levy a tax sufficient to build a school house.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate adhere to their disagreement to the engrossed amendment of the House to engrossed bill of the Senate,

No. 15. An act for the relief of Joseph Allen, of Crawford county.

On motion by Mr. Franklin,  
The House insisted on its amendment.  
Ordered that the Clerk inform the Senate thereof.

Message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-

tives that the Senate have passed the following engrossed bills thereof:

No. 84. A preamble and act to amend an act entitled "an act to incorporate the Indiana Canal Company," approved December 17, 1849.

No. 87. An act for the benefit of the Martinsville and Franklin Railroad Company.

No. 99. An act to amend an act entitled "an act to incorporate the Williamsburgh and Centreville Turnpike Company."

No. 107. An act authorizing licensed merchants to vend clocks.

No. 121. An act in relation to the jurisdiction of Justices of the Peace in Lawrence county.

No. 145. An act to vacate a portion of a certain State road.

No. 140. An act for the benefit of the Auditor of Ripley county.

No. 154. An act authorizing County Auditors to administer oaths in certain cases therein specified.

In which the concurrence of the House is respectfully requested.

Nos. 84, 87, 99, and 107, contained in the above message, were severally read a first time and passed to a second reading.

No. 121 was read a first time.

On motion,

The rule was suspended, the bill read a second and third times and passed.

Ordered that the Clerk inform the Senate thereof.

Nos. 145 and 154 in the foregoing message were each read a first time and passed to a second reading.

Senate bill No. 59 was read a first time and passed to a second reading.

A message from the Senate by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof;

No. 109. An act to incorporate the Plainfield Seminary.

No. 111. An act to incorporate the town of Covington, in the county of Fountain.

No. 113. An act for the relief of persons residing within the limits of corporate towns so far as relates to personal labor on the public highways.

No. 151. An act to incorporate the town of New Winchester, in Hendricks county.

No. 159. An act to authorize the township trustees of Lawrenceburg township, Dearborn county, to assess and collect a free bridge tax.

No. 169. An act to annex the town of Belleville, in the county of Posey, to the town of Mount Vernon.

No. 171. An act legalizing the proceedings of a certain Plank Road Company.

In which the concurrence of the House is respectfully requested.

Nos. 109, 111, 113, 151, and 159 in the foregoing message were severally read a first time and passed to a second reading.

No. 169 was read a first, second, and third times, the rules being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

No. 171, in the foregoing message was read a first time and passed to a second reading.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills and joint resolutions thereof:

No. 141. An act establishing a State road in the counties of Orange and Crawford.

No. 150. An act providing for locating a State road from Troy, in Perry county, to Spencer, in Owen county, in this State.

No. 165. An act to establish and legalize the name of Mary Jacoby, and for other purposes.

No. 173. An act to provide for a justice of the peace in West Franklin, Posey county.

In which the concurrence of the House is respectfully requested.

Nos. 141, 150, 165, and 173, contained in the foregoing message were severally read a first time and passed to a second reading.

Message from the Senate :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof.

No. 149. An act for the encouragement of agriculture.

In which the concurrence of the House is respectfully requested.

The bill was read a first time and passed to a second reading.

Message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-

tives that the Senate have passed the following engrossed bill thereof:

No. 66. An act to incorporate the Winchester and Greenville Railroad Company.

In which the concurrence of the House is requested.

Which was read a first time and passed to a second reading.

A message from the Senate by Mr. Emerson their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House with sundry amendments:

No. 8. An act to provide for electing supervisors, by districts, in the counties of Wells, Allen, Noble, Steuben, Miami, Henry, La-Grange, Tipton, Clinton, and Harrison.

No. 14. An act defining the duties of County Treasurer of Pike, Delaware, Floyd, Daviess, Elkhart, Tipton, Sullivan, Noble, Martin, Washington, Marshall, Fulton, Starke, Clinton, Scott, Johnson, and Randolph counties.

No. 108. An act for the relief of the Recorder of Franklin county.

In which amendments the concurrence of the House is respectfully requested.

The amendments of the Senate to engrossed bills of the House Nos. 8, 14, and 108, contained in the foregoing message were concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has refused to concur in the engrossed amendment of the House to engrossed bill of the Senate.

No. 63. An act in relation to the suit of the Vincennes University against the State of Indiana.

Mr. Williamson moved that the House recede from its amendment.

Mr. Chapman moved that the House insist upon its amendment.

Which motion prevailed.

Ordered that the Clerk inform the Senate thereof.

#### HOUSE BILLS ON THIRD READING.

No. 180. A bill to repeal a certain act therein named, so far as it relates to Grant county, and to revise certain other acts.

No. 181. A bill to enable the qualified voters of district No. 6, township No. 26, range No. 1 west, in Carroll county, to levy a tax in said district sufficient to build a school house.

No. 186. A bill defining the boundary of Laporte, Porter, and Lake counties.

No. 188. A bill to repeal part of the 31st section of an act to increase and extend the benefits of common schools.

No. 194. A bill to locate a State road in Allen county.

No. 208. A bill to amend an act therein named.

No. 209. A bill providing for the sale of school section in Congressional township No. 28 north of range No. 4 west, lying in the county of White.

No. 211. A bill to amend an act, approved January 14, 1850.

No. 215. A bill to incorporate the town of Plymouth.

No. 216. A bill to amend an act to increase and extend the benefits of common schools.

No. 225. A bill to authorize Riley Sexton to take a change of venue.

No. 230. A bill to repeal an act therein named;

No. 235. A bill to locate a State road in Cass and Howard counties;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

#### SENATE BILLS ON THIRD READING.

No. 46. A joint resolution upon the subject of lands for school purposes;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 61. A bill for the relief and benefit of the College Corner and Liberty Turnpike Company, the Liberty and Abbington Turnpike Company, and the Liberty and Brownsville Turnpike Company;

Was read a third time and,

On motion,

Referred to a committee consisting of Messrs. Watt, Pratt, and Swihart of Huntington, with instructions to reduce the penalty.

On motion,

The order of business was suspended, and Mr. Thompson of Delaware introduced bill

No. 258. A bill to extend the powers of the board of commissioners of Delaware county.

Which was read a first time and passed to a second reading.

No. 95. A bill to amend the 12th section of chapter 56 of the Revised Statutes of 1843;

No. 92. A bill to amend the act concerning the per diem allowance for work done on the highways in the county of Adams;



No. 96. A bill to legalize the proceedings of the Mt. Carmel, Alton and New Albany Railroad Company, and for other purposes; Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and,

Mr. Jackson introduced

Bill No. 259. A bill to amend an act regulating the time of holding Probate Courts in the county of Tipton ;

Which was read a first time, and passed to a second reading.

No. 97. A bill to repeal an act entitled an act to amend the statute providing for the taking a change of venue in criminal cases, approved January 16, 1849, so far as relates to the county of Steuben ;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and,

Mr. Lewis introduced

Bill No. 260. A bill to incorporate the Newburg and Vanderburg Railroad Company ;

Which was read a first and second time, the rule being suspended therefor, and,

On motion,

Was referred to a select committee consisting of Messrs. Lewis, Hutchinson and Edwards.

On motion,

The order of business was suspended.

Mr. Harrison, from a select committee, made the following report:

**MR. SPEAKER:**

The committee to whom was referred the petition of the citizens of Porter and Jasper counties, praying the charter of a company for the erection of a bridge across the Kankakee river, have had the same under consideration, and have directed me to report the following bill and respectfully recommend its passage :

No. 261. A bill to incorporate the Franklin Bridge Company.

Was read a first time,

On motion,

The rule was suspended, and the bill read a second time, and referred to the committee on Corporations.

On motion,

The order of business was suspended.

Mr. Shook, from a select committee, made the following report:

MR. SPEAKER:

The committee on Temperance have directed me to report the following bill, and recommend its passage:

No. 262. A bill to amend an act entitled an act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors, approved January 18, 1849.

Was read a first time, and passed to a second reading.

No. 104. A bill establishing an additional place of holding elections in Clark county;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 106. A bill to amend an act entitled an act to protect from waste certain lands therein mentioned, approved Dec. 23, 1849;

Which was read a third time,

On motion by Mr. Moore,

Was laid upon the table.

No. 115. A bill to change the name of the town of Nicklesonville;

No. 118. A bill to exempt from taxation the Marine Hospital at Evansville;

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

#### HOUSE BILLS ON SECOND READING.

No. 239. A bill to give County Treasurers till the 1st of April, 1851, to make settlement with the Auditor of State;

Was read a second time and ordered to be engrossed.

No. 240. A joint resolution in relation to the State University;

Was read a second time,

On motion by Mr. Chapman,

Was referred to the committee on Military Affairs.

No. 127. A bill to amend chapter 4 of the Revised Code of 1843;

Was read a second time,

On motion by Mr. Chapman,

Was referred to the committee on the Judiciary.

On motion by Mr. Goodwin,

Mr. Chapman was added to the committee on Military Affairs.

No. 125. A bill to amend an act entitled an act to authorize the Jeffersonville Railroad Company to issue and secure the payment of bonds, approved Dec. 29, 1849;

Was read a second and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

#### HOUSE BILLS ON THIRD READING.

No. 213. A bill to incorporate the Central Plank Road Company of Vanderburg county;

No. 45. A bill to amend section 100, chapter 12, of the Revised Statutes of 1843;

No. 171. A bill to amend an act to incorporate the Logansport and Wabash Bridge Company, approved Feb. 7, 1835;

No. 246. A bill to authorize the Commissioners of Pike county to employ a Physician by the year to attend on the paupers of said county;

Were severally read a third times and passed.

On motion by Mr. Graff,

The county of Gibson was inserted in the title of 246.

Ordered that the Clerk inform the Senate thereof.

No. 146. A bill to incorporate the Connersville and Milton Turnpike Company;

No. 65. A bill to incorporate the Sparta and Versailles Turnpike Company;

No. 80. A bill to reorganize the Evansville Insurance Company, chartered under the several acts of February 8, 1836, and January 21, 1850;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

#### HOUSE BILLS ON SECOND READING.

No. 242. A bill for the relief of Ebenezer F. Lucas.

No. 243. A bill to defray the expenses of the Quarter Master General and for other purposes.

No. 245. A bill to amend the General Road Law, approved January 16, 1849, so far as the same relates to the county of Cass.

No. 247. A bill to enable the qualified voters of school districts Nos. 5 and 8, range 3 west, in Laporte county to build a union school house and for other purposes.

No. 249. A bill to amend the 65th section of the 54th chapter of the Revised Statutes of 1843.

No. 250. A bill to authorize the inhabitants of school district No. 2, in township No. 36, range 3 west, in Laporte county, to levy an additional school tax.

Were severally read a second time and ordered to be engrossed.

No. 251. A bill in relation to Supervisors of roads and high ways in Jackson county;

Was read a second and third times, the rule being suspended therefor and passed.

Ordered that the clerk inform the Senate thereof.

#### SENATE BILLS ON SECOND READING.

No. 19. A bill to amend an act entitled, "an act to increase and extend the benefits of common schools, approved January 17, 1849;

Was read a second time, and

On motion by Mr. Chapman,

Referred to the committee on Education.

No. 90. A bill to incorporate the Ohio and Wabash Plank Road Company;

Was read a second time and ordered to a third reading.

No. 103. A bill to authorize the Governor, Auditor and Treasurer of State, to borrow money to pay the interest due on the funded debt on the first day of July next, and defray the expenses of the Constitutional Convention.

Was read a second time.

Mr. Harrison moved to strike out "60" and insert "40."

On motion by Mr. Humphreys,

The bill was referred to the committee on Ways and Means.

No. 130. A bill declaring mill creek in Morgan county a public highway.

No. 131. A bill to incorporate the New Albany Hotel Company.

No. 139. A bill to legalize the acts of the late Treasurer of Elkhart county, and to extend the time of paying taxes in said county.

Were severally read a second time and ordered to a third reading.

No. 156. A bill to change the name of Joseph Grandison Jones, to that of Joseph Grandison Talbott;

Was read a second time and ordered to a third reading.

No. 162. A bill to change the term of the next February term of the Probate court of Hamilton county;

Was read a second time,

On motion,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 163. A bill to repeal an act entitled, "an act to amend an act entitled an act to require certain statutes to be published in some newspapers at Indianapolis, and for other purposes," approved January 20, 1846.

Was read a second time.

The question being, shall the bill be ordered to a third reading?  
Was decided in the negative.

Mr. Bird moved that the order of business be suspended;  
Which motion did not prevail.

No. 160. A bill for the more effectual just and equal assessment and valuation of the real estate, personal property, moneys, rights, credits and effects, and corporation stock in the State of Indiana.

On motion by Mr. Willard,

The bill was laid over until to-morrow.

The Speaker laid before the House the following communication from the Governor:

HON. E. DUMONT,

*Speaker of the House of Representatives:*

You will please lay before the House of Representatives, the enclosed communication from Carter D. Hathaway, on the subject of the swamp and wet lands granted to the State of Indiana. Mr. Hathaway selected a large amount of lands in the counties of Pulaski and Starke—about two hundred thousand acres, and his views upon their value and final disposition are worthy of your consideration.

JOS. A. WRIGHT.

INDIANAPOLIS, IND., January 27, 1851.

*To the committee on "Swamp Lands:"*

GENTLEMEN:—At the request of several of the members of your honorable committee, I herewith submit the following facts, in relation to the selection, character, &c., of these lands, together with such suggestions as most forcibly present themselves to my mind as to the further management and sale thereof:

On the sixth day of November last, I received instructions from the Governor of the State of Indiana, to proceed as County Surveyor of Pulaski county, and make the necessary survey and selections under the instructions then forwarded—his language is,

"You are respectfully requested on the receipt of this circular, to enter upon and to make out and forward to me, under the forms herewith sent, a statement of these lands in your county."

The forms sent were:

STATE OF INDIANA, }  
——— County } SS:

The undersigned, A. B., County Surveyor of the county aforesaid, do hereby certify that I have surveyed and examined the following tracts of land, situate, &c.

Also, on the 8th day of the same month, I received from the Com-

missioners of Starke county, the appointment for selecting the "wet lands" in that county—they having no County Surveyor.

By said instructions of the Governor, I was urged to have the work completed, if possible, by the 15th of December "at farthest," and for this purpose to obtain the assistance of my deputies; accordingly by the 14th of November, I had fitted up two full sets of hands with necessary camp equipage, &c., and on the morning of the 15th we were all in the field, prosecuting the work with the greatest possible despatch at all consistent with the necessary accuracy to be observed, nor did we relax our energies in the least until we had completed the work in both counties, to-wit: on the 4th day of January, 1851, working all the time ten, and a portion of the time eleven hands beside my two deputies and self. On the 25th of November I received a line from the Governor, acknowledging the appointment for Starke, and on the 10th of December I received some further general instructions including a circular from the Commissioners of the General Land office; these however merely confirmed the course already taken by the Governor, and required nothing new at my hands. The nature of the work in the two counties entrusted to my supervision was necessarily very tedious. It is an open prairie country, generally level, interspersed with small groves (oak or hickory barrens,) with occasional sand ridges, running in every possible direction; hence each individual section in almost every instance had to be subdivided, and the lines of the respective qr. quarter sections measured to ascertain the number of acres of dry land on the several forty acre lots constituting said sections, (for thus we had to report,) and in many instances owing to the manner in which the established lines would angle the ridges and groves, not a single "forty" (after the trouble of measuring) could be found with 20 acres of dry land thereon, nevertheless this could not be known without such measurement. The lands selected in Pulaski county, as just stated are principally prairie with a black sandy loam soil, and as has been fully tested by the farmers in this country, when drained are the most productive and valuable lands for agricultural purposes, to be found in North-western Indiana.

The lands in Starke are of much the same character as those in Pulaski; except that portion along Yellow river reported as "overflowed lands," these, generally speaking, are heavy timbered, the timber embracing all the varieties usually found along the borders of our Western rivers. In making the survey I found in Pulaski some of the richest deposits of iron ore that I have ever observed in the western country. The ore is the very best quality of that class usually denominated by the workers "bog ore." There are also smaller and less valuable fields of those deposits in different parts of Starke county. I have been particular to note and mark the location of the best beds, upon the township maps, a full set of which I have made out, showing the character of the lands selected,

and of the work performed by me. That the State should take early measures, not only to protect but also to reclaim those lands so selected, must be apparent to every one who has given the subject a moment's reflection. Many farmers in the vicinity of them are anxious to purchase, so much so, that after I had commenced the selections, and notwithstanding I reported weekly to the Register of our Land Office, thousands of acres were purchased in advance of my work, and since I finished, applications have been almost daily made, to know if I could give any information as to when and how these lands would be sold. It occurs to me, that it would be good policy for the Legislature to authorize the land officers of the General Government in the several districts, to sell such of the lands as might be applied for, at the present price of Government land (or such prices as might be fixed by the Legislature,) until such time as the State should establish her own offices and effect the appraisalment of the lands. I have been assured by Colonel Sigler, Register of the Land Office at Winamac, that in less than six months he could sell "wet lands" enough to more than re-imburse to the State all the expenses for surveying and selecting in his district. But by all means should the Legislature provide immediately for the protection of the lands, and unless some person is appointed, or some means taken for this purpose, much waste will be made of the timber on them, which, generally speaking, is very valuable. Situated as it is in the midst of the prairies—and especially is this true of the lands of the Kankakee, where the citizens of an adjoining State annually carry away and destroy thousands of dollars' worth of the very best timber in the country—the appointment of some competent person, it seems to me, should be provided for in each county where there is any considerable quantity of wet lands, entrusted with the general supervision thereof, whose duty it should be to prevent or report all wastes, to superintend the ditching, and such other matters as might be required of him. It may be said, the State herself has as yet no patent or title complete for these lands. This undoubtedly is true; nevertheless, the General Government, by act of Congress of September 28, 1850, has said the State should have them, and through her ministers and officers has prescribed the rules and action necessary on the part of the State to be observed and done in order to perfect the right of the State to the same. In reference hereto, the honorable Commissioner of the General Land Office, in a note addressed to his Excellency the Governor of Indiana, and dated November 21, 1850, says: "I have supposed it may be a matter of sufficient importance to induce you to call upon the county surveyors, or other respectable persons of your State, for a statement, under oath, of the swamp or overflowed lands in their respective counties." "Such testimony," he adds, "will be regarded as establishing the facts in the case, and on receipt of the reports of the land officers, a list of the lands will be prepared as required by

the act submitted for the approval of the Secretary of the Interior, and plats and patents for the land thus approved, will at once be prepared and forwarded to you." Now, so soon as the surveyors report to their respective land offices, mark their plats accordingly, and virtually the interest in and to the lands so returned passes immediately to the State; so, at least, the officers of the General Government treat the matter in the northwest part of the State.

Again: the report of the several surveyors and registers, as contemplated in the instruction and circular of the Commissioner above referred to, will undoubtedly all be submitted, if not before at least in a very short time after the adjournment of the present session of the Legislature. And unless prospective measures be taken for the management of these lands, they will have to remain unimproved for at least one year.

In answer to the very frequent enquiry made of me, touching the practicability of draining the lands selected by me, I would merely say, that I observed with a great deal of interest, and as much care as circumstances and time would admit of, the relative positions of the various swamps or marshes by me surveyed, both as to their respective elevations and the position they occupied compared with the principal natural outlets of the country, from which it is clearly demonstrated, that if properly managed, not one-fourth part of the expenditure contemplated by many will be required to render these lands comparatively dry; at least so as to make them decidedly the choice lands of their district. Through the western part of Pulaski, for instance, there runs, from north to south, a large slough or creek, called the Metamonon creek, being simply a natural outlet to the large west prairies, and hereby marshes lying in the north and western part of said county. This slough or creek being frozen so as to carry us up safely at the time we were at work in that part of the country, enabled me to observe with a considerable degree of accuracy the true position of the natural channel, as compared with the "wet lands" adjacent thereto; the result of which observations and survey fully satisfied me, that cutting down some four quite narrow beaver dams, and simply removing the turf or sod where it is not now broken, a perfect channel would be formed, and from eighteen to twenty thousand acres of land be reclaimed. The length of the channel required to be cleared out or opened is about eleven miles, the cost of which would not exceed \$3000, the mere fall or declension for this distance being twenty-seven inches to the mile; besides this there will be three or four other principal ditches to make in said county, the longest of which will not exceed four miles in length, and then the residue will be light, and readily accomplished with ordinary ditching machines. As to lands in Starke county, it is my opinion that much the larger portion of them cannot be drained without lowering the falls of the Kankakee river. This done, however, and the river cleared out, a large body of the very best lands,



not only in Starke but also in the other counties bordering on said river, will be reclaimed.

With regard to the fees for surveying and selecting these lands, the committee have, in the fore part of this communication, the manner specified in which this work has been performed, the number of hands employed, the length of time actually engaged in surveying; and I may add, also, that I furnished the necessary provisions, teams, and boarded the hands; in short, footing all expenses incidental to the work except the fees of the Register. As to what would be a reasonable and fair compensation for the discharge of those duties in the manner aforesaid, is of course left with the magnanimity and better judgment of the Legislature.

I have been informed by one of the Trustees of the Wabash and Erie Canal, that the cost of selecting the canal lands was estimated at something over three cents per acre, and the labor in that case (as I had ample means of witnessing,) was not one-fourth part what it has been to select the "wet lands." Yet, if the surveyors are allowed two cents, or even one and a half cents per acre, it will, perhaps, in most cases cover their expenses and give them a reasonable allowance for their time. Any thing less than one and a half cents, however, will not, I assure the committee, do this. We have frequently to pay the most extravagant prices for hands, or suspend the work, the weather being so extremely rough, and the hands invariably so much exposed. However, I most cheerfully submit the question to those whose province it is to say what allowance shall be made.

In conclusion, allow me to say that it is a very great mistake if any suppose these lands are, and will be comparatively worthless, owing to the scarcity of timber upon them. True, they are, as already stated, principally prairie, yet they are of such a quality of prairie as will, when once reclaimed, render them an object of most anxious interest to the farmer or the stock-grower, and are, in fact, generally sufficiently near the timber lands to render their barrenness rather preferable than otherwise.

Yours, with much respect,

CARTER D. HATHAWAY.

HON. MR. DAVIS,

Chairman of the committee on Swamp Lands.

P. S. Since closing the above, I have been informed that many were in favor of referring the allowances of the several surveyors to their respective counties, or the Commissioners thereof, rather. This unquestionably would work wrongs beyond measure. In the first place we were not employed by these County Commissioners, nor have they had any supervision of the matter; they know nothing of it, nor indeed can they, except what we may tell them. Our reports have gone to the Register of the several land offices, and thence to the Governor of the State of Indiana. The evidence of all our claims is, and will be here, and only here; in no other place except, indeed, Washington City, can the vouchers of our work be found.

In the second place, you have but to look at the canal reports of your State Auditor in connection with the fact already before you upon this subject, to know at once that in those counties where the principal part of the work has been performed, and the heaviest expense incurred, not a tithe of the expenses even is collected in the shape of State revenue.

And again: there is not a surveyor that has been engaged in this work, I presume, who wishes to subject himself to the charge of obtaining an allowance through favoritism from a County Board who have no direct interest in the matter, unless it be to favor one of their own citizens. For one I am sure I do not. It was for the State I worked, and to the State alone I look for my recompense.

Very Respectfully,

CARTER D. HATHAWAY.

On motion by Mr. Pratt,

The foregoing communication was referred to the committee on Swamp Lands.

On motion by Mr. Ross,

Mr. Jackson was added to the committee on Swamp Lands.

On motion,

The order of business was suspended, and

Mr. Pratt introduced bill

No. 263. A bill authorizing the Board of Commissioners of Howard county to cause a record to be made of a certain State road therein named;

Which was read a first, second, and third times, the rules being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

Mr. Bird introduced bill

No. 264. A bill to amend an act entitled "an act to amend the act entitled an act to incorporate the city of Fort Wayne, and all acts amendatory thereto;"

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended, and

Mr. Humphreys introduced bill

No. 65. A bill defining the duties of the Governor in certain cases therein named;

Was read a first time, and passed to a second reading.

On motion,

The order of business was suspended, and

Mr. Coburn introduced

Bill No. 266. A bill to incorporate the Central Michigan Plank Road Company;

Which was read a first and second times, the rule being suspended therefor, and ordered to be engrossed.

On motion,

The order of business was suspended, and

Mr. Williamson introduced

Bill No. 267. A bill in relation to the streets and alleys in the town of Bowling Green, Clay county ;

Which was read a first time and passed to a second reading.

Mr. Shull, from a select committee, made the following report :

**MR. SPEAKER :**

The select committee, to whom was referred the petition of sundry citizens of the east part of Indiana, praying for a free turnpike road commencing at Union, on the Indianapolis and Bellefontaine railroad, running from thence north, to intersect the Fort Wayne and Piqua plank road, have had the same under consideration, and beg leave to submit the following bill, and respectfully recommend its passage :

No. 268. A bill to establish a free turnpike road.

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended, and

Mr. Chapman introduced

Bill No. 269. A bill to incorporate the Madison Medical Society at Madison, in the county of Jefferson ;

Which was read a first and second times, the rule being suspended therefor, and ordered to be engrossed.

On motion,

The order of business was suspended, and

Mr. Bradley, from the committee on the Judiciary, made the following report :

**MR. SPEAKER :**

The committee on the Judiciary, to whom was referred the petition of the heirs of Joseph Franklyn, deceased, late of Floyd county, in the State of Indiana, have had the same under consideration, and have directed me to report the following bill, recommend the passage thereof, and ask to be discharged from the further consideration of the subject ;

No. 270. A bill for the relief of Thomas Decimus Franklyn. Sophia Whitworth, William Whall, John Whall, and Robert Whall.

Which was read a first time,

On motion by Mr. Willard.

The rule was suspended, the bill read a second time, and ordered to be engrossed.

On motion,

The order of business was suspended.

Mr. Ross, from the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred House bill No. 174, have had the same under consideration, and have directed me to report the bill back to the House with the following amendments to the third section of said bill, and when so amended, recommend its passage:

Amend the third section by adding the following:

For every four wheeled wagon or other vehicle drawn by one horse or other animal, a sum not exceeding five cents; for every horse or other animal in addition, five cents; for every cart, chaise or other two wheeled carriage or vehicle drawn by one horse or other animal, not exceeding five cents; for every horse or other animal in addition, five cents; for every sled or sleigh drawn by one horse or other animal, five cents; for every horse or other animal in addition, five cents; for every coach, chariot, or other four wheeled pleasure carriage drawn by one horse or other animal, not exceeding ten cents; for every horse or other animal in addition, five cents; for every horse and rider, five cents; for every horse, mule or ass six months old or upwards, led or driven, not exceeding two cents; for every head of neat cattle six months old and upwards, two cents; for every hog or sheep, one cent: *Provided*, That all persons going to or returning from funerals, public worship, or militia musters, shall pass said bridge free of toll: *Provided also*, That the county commissioners of Dearborn county, at any regular session thereof, may change said rates of toll as they may deem just and proper, having reference to the usual rates charged by similar toll bridges.

Which report was concurred in.

On motion by Mr. Clark,

The bill as amended was laid on the table.

On motion,

The order of business was suspended.

Mr. Reynolds introduced

No. 271. A bill limiting the jurisdiction of the corporation of the town of South Bend, in the county of St. Joseph;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended.

Mr. Thompson of Carroll, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee, to whom was referred the petition of sundry citizens of Carroll county, praying an act defining the jurisdiction of Justices of the Peace in said county in criminal cases, have had the same under consideration, and direct me to report the following bill and recommend its passage;

No. 272. A bill relative to the jurisdiction of Justices of the Peace in certain criminal cases in the county of Carroll;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended.

Mr. Lewis introduced

No. 273. A bill to allow pay to the County Surveyor of War-  
rick county, Indiana, for surveying swamp lands in said county.

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended.

Mr. Williamson, from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred the petition of the Good Intent Fire Engine Company, have had the same under consideration, and have directed me to report that in the opinion of said committee it would be inexpedient to grant the prayer of said petitioners. They therefore ask to be discharged from the further consideration of the subject.

Which was concurred in.

On motion,

The order of business was suspended.

Mr. Coburn introduced

No. 274. A bill to incorporate the Indianapolis Gas Light and  
Coke Company;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended.

Mr. Marvin, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee to whom was referred the petition of citi-

zens of Boone and Hamilton counties for the change of a State road have had the same under consideration, and have instructed me to report the following bill and recommend its passage;

No. 275. A bill to change a portion of a certain State road therein named, in the counties of Boone and Hamilton.

Which was read a first time,

On motion by Mr. Marvin,

The rule was suspended, the bill read a second time and ordered to be engrossed.

On motion,

The order of business was suspended, and Mr. Thompson of Carroll introduced bill

No. 276. A bill for the better improvement of highways in the counties of Carroll and Delaware;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended, and,

Mr. Chapman, Chairman of the committee on the Judiciary, made the following report :

MR. SPEAKER :

The committee on the Judiciary, to whom was referred so much of the Governor's message as relates to the sale of the Georgia Lands to Martin R. Green, have had the same under consideration, and after a thorough investigation of all the transactions relating to said sale, find the same to have been legally made, and in accordance with the joint resolution authorizing said sale. Said committee have therefore directed me to report the following bill and recommend the passage thereof, and ask to be discharged from the further consideration of the subject :

[Mr. Edwards dissents from this report.]

No. 277. A bill confirming the sale of the Georgia lands to Martin R. Green.

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended, and

Mr. Edwards introduced bill

No. 278. A bill for the relief of the Terre Haute and Richmond Railroad Company, and the Indiana Central Railway Company;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended, and

Mr. Shull introduced bill

No. 279. A bill to incorporate the Bluntsville, Smithfield, and Montpelier Plank Road Company;

Which was read a first time and passed to a second reading.  
 Mr. Blue, from the committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The committee on Enrolled Bills have examined the following bills of the House Nos. 82, 90, 102, and 68, and find them correctly enrolled.

On motion by Mr. Thorn,

The House adjourned to meet to-morrow morning at half past 8 o'clock, A. M.

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WEDNESDAY MORNING, January 29, 1851.

The House met.

The Journal of the preceding day was partly read.

When,

On motion by Mr. Watts,

The further reading of the Journal was dispensed with.

PETITIONS, MEMORIALS, &C., PRESENTED.

By Mr. Lank ;

A temperance memorial from the citizens of Randolph county ;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Benson ;

The temperance memorial of the citizens of Warren county ;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Benson;

The temperance memorial of the citizens of Mound township  
in the county of Warren;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Morrow;

The temperance memorial of the citizens of Grant county;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Morrow;

The temperance memorial of the ladies of Grant county;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Armstrong;

The petition of the citizens of Switzerland county on the subject  
of temperance;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Donaldson;

The petition of the citizens of Miami county on the subject of  
temperance;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Moore;

The petition of the citizens of Bartholomew county, on the sub-  
ject of temperance;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Moore;

A temperance memorial from the ladies and gentlemen of the  
county of Bartholomew;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Swihart of Wabash;

Two temperance memorials of the ladies and gentlemen of Wa-  
bash county;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Donaldson;

Two memorials on the subject of temperance;



Which,

On motion,

Were referred to the committee on Temperance.

By Mr. Thompson of Carroll;

The petition of the citizens of Carroll county concerning the duties of the Sheriff of said county;

Which,

On motion,

Was referred to a select committee of three, consisting of Messrs. Thompson of Delaware, Thompson of Carroll and Pratt.

#### REPORTS FROM COMMITTEES.

Mr. Franklin, from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary to whom was referred No. 233, "A bill for the relief of the heirs of Elizabeth Blatner, late of Dearborn county, but now deceased," have had the same under consideration, and have directed me to report the same back without amendment, recommend its passage, and ask to be discharged from the further consideration thereof;

Which was concurred in.

On motion by Mr. Dumont,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Coburn from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred House bill No. 115, "a bill to regulate the issuing of executions and fee bills in the several courts in the county of Marion, when judgments have stood three years from the date of rendition without execution having issued thereon, and when costs have stood three years from the taxation thereof, without fee bills having issued for the collection of the same," have directed me to report the same back to the House with the accompanying bill as a substitute, and recommend its passage.

No. 280. A bill to regulate the issuing of executions and fee bills in the several courts in the county of Marion, upon which no execution has issued aforesaid, after the rendition thereof, and where fees have not been collected for three years from the termination of the suit, in which the same is taxed.

The bill was read a first time and passed to a second reading.

Mr. Pratt from the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred No. 232, a bill to reduce the power of the Grand Jury in Rush county, have had the same under consideration and have directed me to report the same back and recommend its indefinite postponement, and said committee ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Coburn from the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred bill of the House No. 231, "a bill to amend sec. 10, chap. 19, of the Revised Statutes of 1843," have directed me to report the same back and recommend the indefinite postponement thereof, and ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Chapman, chairman of the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred bill of the House, No. 169, "a bill to secure the return of executions issued by Justices of the Peace," have had the same under consideration, and have directed me to report the same back without amendment and recommend its indefinite postponement, and ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Chapman, chairman of the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred bill of the House No. 193, "a bill to authorize the election of a county Surveyor in Greene county," have had the same under consideration and

have directed me to report the same back without amendment, and recommend its passage, and said committee ask to be discharged from the further consideration thereof.

On motion by Mr. Franklin,

Owen county was added.

The report of the committee was concurred in and the bill ordered to be engrossed.

Mr. Shook from the committee on claims, made the following report:

**MR. SPEAKER:**

The standing committee on Claims, to whom was referred the two claims of Mr. F. T. Butler, have had the same under consideration and have directed me to report that an appropriation of two hundred and twenty-six dollars was made by the last Legislature, to meet said claims, and that it is inexpedient to make an additional allowance, and ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Donaldson from the committee on Corporations, made the following report:

**MR. SPEAKER:**

The committee on Corporations, to whom was referred House bill No. 168, have had the same under consideration and have directed me to report the same back without amendment and recommend its passage.

No. 168. A bill to authorize the Lafayette Insurance Company," to increase their capital.

The bill was ordered to be engrossed.

The hour having arrived,

On motion by Mr. Willard,

Bill No. 160. A bill for the more effectual, just, and equal assessment and valuation of the real estate, personal property, moneys, rights, credits, effects, and corporation stock in the State of Indiana,

Was taken from the table.

On motion by Mr. Pratt,

A call of the House was ordered.

After spending some time in a call,

On motion by Mr. Clark,

A further call of the house was dispensed with.

On motion,

The order of business was suspended, and

Mr. Chapman offered the following resolution :

*Resolved*, That the Secretary of State be requested to inform this House if he has refused to furnish any more paper for the use of the members, and if so his reasons for so doing ;

Which was adopted.

Mr. Coburn, chairman of the committee on Engrossed Bills made the following report :

**MR. SPEAKER :**

The committee on Engrossed Bills have examined bills numbered 146, 179, 180, 181, 186, 188, 208, 209, 215, 216, 225, 230, 235, 246, 256, 263, 45, 171, 213, 255, 211, 194 and 251, and report that they are correctly engrossed.

The question being on concurring in the following amendments reported by the committee of the whole House to bill No. 160 ;

The House decided to concur jointly.

Amendments to section 15 :

Strike out the 38th line and insert the following :

"The amount of all State and United States stocks or bonds, held or owned by such person or persons, body politic or corporate."

Add in the 8th line after the word "corporation" the following :

"State and United States," and make the word "stock" read "stocks."

Amend at the close of line 37th in the 15th section as follows :

"*Provided however*, That there shall be deducted from such lot of personal estate the amount of all liabilities of persons assessed."

Except the stocks in corporations in this State provided in this act to be assessed in the counties where said corporations are situated.

Amendments to section 16 :

Amend section 16, line two, as follows :

After the word "required," insert "or shall make out an incorrect statement."

Amend the 7th line: or "made" after "withheld."

Strike out the words "and require" in the 9th line.

In second line after the word "magistrate" add the words "or other officer authorized to administer oaths."

Add to section 28th the following :

And if any Railroad Company, shall not have in this State, its principal office for the transaction of financial business, it shall be the duty of the President, Cashier, Secretary, Treasurer, or Constructing Agent of such company, to furnish to the Auditor of the county, where the said road first enters this State, a statement under oath or affirmation, of the officer making it, specifying the amount

and value, of all real estate owned by such company in this State, the amount expended in the construction of said road in the limit of this State, and the amount invested in machinery, and rolling stock of every kind, which said machinery and rolling stock, Shall be assessed for taxation in proportion as the length of the road in this State bears to the length of the line of said road completed.

In section 37, and line 2d, strike out "and" and insert "or."

In the 5th line of section 43, after the word "of" insert the words "not exceeding."

Strike out all of the sixth specification.

Add to the fourth specification,

"Also all lands granted for military bounty, by the United States for five years after the location."

In the 11th specification change the word "child" to "children."

On motion by Mr. Hicks,

The House refused to concur in the amendments.

Mr. Williamson offered the following amendment, to the 1st section of the bill:

Strike out from the enacting clause and insert the following:

That there shall be elected at the next general election, and biennially thereafter by the qualified voters in each of the townships of the several counties of this State, one assessor for each township, who shall hold his office for two years from the day of his election and until his successor shall be elected and qualified, and shall do and perform all such duties as now are or hereafter may be required of him by law.

Mr. Stone moved to amend the amendment by adding, "Provided, that assessors now elected shall serve out their respective terms."

Which was accepted by the mover.

Mr. Goodwin moved to amend the amendment by adding, that there shall be elected on the first Monday of April next one assessor for each township;

Which was accepted by the mover.

Mr. Thompson of Carroll moved to strike out "township" and insert "one assessor in each Commissioner's district;"

Which was not adopted.

The question being on the amendment as amended,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Blue, Brown of Pike, Bulla, Campbell, Clark, Cowan, Crawford, Davis of Scott, Donaldson, Elkins, Franklin, Gentry, Goodwin of Daviess, Hamilton, Harris, Haywood, Hicks, Humphreys, Isom, Jackson, Johnston, Lank, Lawrence, Lindsey, Marshall, Marvin, McClelland, McMakin, Mercer, Morgan, Nelson, Pancake, Peckenpough, Riley, Ross, Shook, Simler, Stone, Swihart

of Wabash, Thompson of Delaware, Thorn, Watson, Watt of Union, Williamson, Wilson, Withers and Mr. Speaker—48.

*Those who voted in the negative were,*

Messrs. Armstrong, Benson, Bradley, Carr, Caylor, Chapman, Coburn, Conner, Crim, Davis of Dubois, Edwards, Essex, Fleece, Goodman of Vigo, Graff, Hall, Hammond, Harrison, Hosbrook, Houghman, Hubbard, Hutchinson, Jones, Jordan, Lewis, Marquess, McCarty, McKim, Millikan, Moore, Morrow, Painter, Patterson of Marshall, Phillips, Pratt, Reynolds, Rice, Robbins, Shull, Stayner, Schwartz, Swihart of Huntington, Thompson of Carroll, Usher, Walls, Watts of Jefferson, Willard and Wittenmeyer—48.

So the amendment was not adopted.

Mr. Franklin moved to amend section 15 by striking out from the 7th line the words "real estate, personal property," and insert "merchandise, articles of manufactory."

Mr. Graff moved to recommit to the committee of Ways and Means, with instructions so to amend the bill that each person shall furnish only a list of his real estate, without appending thereto any valuation; and that the oath of the assessor shall require him to value all real estate in accordance with its cash value.

Which motion did not prevail.

Mr. Thorn moved to amend the amendment so that every taxpayer when called upon by the assessor, shall furnish a schedule of all his real estate and all his visible personal property, to which the assessor shall put a fair cash value, and the assessor shall require each tax-payer who is engaged in the business of commerce, manufactures, or merchandise; also to furnish a schedule under oath of all his personal, visible or invisible, which shall be construed to include all his property, rights, credits, moneys, and effects, and to which property, rights, credits, moneys, and effects said tax-payer shall himself attach the true amount and value thereof.

Mr. McClelland moved to lay the amendment and the amendment to the amendment on the table.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Blue, Brown of Pike, Bulla, Campbell, Chapman, Clark, Cowan, Crawford, Crim, Davis of Dubois, Davis of Scott, Edwards, Fleece, Goodman, Graff, Hall, Hammond, Harrison, Haywood, Houghman, Hubbard, Hutchinson, Johnston, Jordan, Lawrence, Lindsey, Marquess, Marshall, Marvin, McClelland, McMakin, Mercer, Nelson, Painter, Pancake, Peckenpaugh, Phillips, Rice, Riley, Robbins, Ross, Shull, Stone, Swihart of Wabash, Usher, Walls, Willard, Withers, and Wittenmeyer—52.

*Those who voted in the negative were,*

Messrs. Brown of Shelby, Carr, Caylor, Coburn, Conner, Donaldson, Elkins, Essex, Franklin, Gentry, Goodwin, Hamilton, Harris, Hicks, Hosbrook, Humphreys, Isom, Jackson, Jones, Lank, Lewis, McCarty, McKim, Moore, Morgan, Morrow, Reynolds, Shook, Simler, Stayner, Schwartz, Swihart of Huntington, Thompson of Carroll, Thompson of Delaware, Thorn, Watson, Watt, Watts, Williamson, Wilson, and Mr. Speaker—42.

So the amendment and the amendment to the amendment was laid upon the table,

Mr. Chapman moved to amend by striking out the 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 31, 32, and 33d lines.

The ayes and noes being demanded by Messrs. Chapman and Rice,

*Those who voted in the affirmative were,*

Messrs. Carr, Caylor, Chapman, Essex, Franklin, Gentry, Goodwin, Hamilton, Humphreys, Isom, Shook, Simler, Schwartz, Thompson of Delaware, Thorn, Watt, Watts, and Mr. Speaker—18.

*Those who voted in the negative were,*

Messrs. Armstrong, Benson, Blue, Brown of Pike, Brown of Shelby, Bulla, Campbell, Clark, Coburn, Conner, Cowan, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Elkins, Fleece, Goodman, Graff, Hall, Hammond, Harris, Haywood, Hicks, Hosbrook, Houghman, Hubbard, Hutchinson, Jackson, Johnston, Jordan, Lank, Lawrence, Lewis, Lindsey, Marquess, Marshall, Marvin, McCarty, McClelland, McKim, McMakin, Mercer, Moore, Morgan, Morrow, Nelson, Painter, Pancake, Peckenpaugh, Phillips, Pratt, Reynolds, Rice, Riley, Robbins, Ross, Shull, Stayner, Stone, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Usher, Walls, Watson, Willard, Williamson, Wilson, Withers, and Wittenmeyer—73.

So the amendment was not adopted.

Mr. Graff moved to amend section 15, line 7, by striking out "real estate," and add in the ninth line, after the word "value," "together with a list of his real estate."

On motion by Mr. Dumont,

The bill and pending amendment was laid upon the table.

On motion,

The order of business was suspended, and,

On motion by Mr. Dumont,

*Resolved*, That the committee on the State Bank be instructed to inquire forthwith, whether the individual stock of the State Bank of Indiana is at this time required to pay the same ratio of taxes, for State, county, township, and corporation purposes, within the limitation of the 15th section of the charter, as is required to be paid by other property; and if not, what law is necessary and proper, or what legislation is necessary and proper; with leave to report by bill or by amendment to any pending bill; that they send for persons and papers.

On motion by Mr. Jordan,  
The House adjourned, to meet at half past one, P. M.

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Half past one o'clock, P. M.

The House met.

#### ORDERS OF THE DAY.

On motion,  
The order of business was suspended and,  
Mr. Dumont introduced  
Bill No. 281. A bill to amend an act entitled an act relating to certain officers in the county of Dearborn, approved January 16, 1851;

Which was read a first time and passed to a second reading.

On motion,  
The order of business was suspended, and  
Mr. Dumont introduced  
Bill No. 282. A bill granting further powers to the township of Lawrenceburgh, in the county of Dearborn, in the State of Indiana;  
Which was read a first time, and passed to a second reading.

On motion,  
The order of business was suspended, and  
Mr. Jordan, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee, to whom was referred the petition of John D. Fink and others, praying for the prohibition of the sale of intoxicating liquors in the town of Middletown, Henry county, Indiana,



have had the same under consideration, and instructed me to report the following bill and recommend its passage:

No. 283. A bill to prohibit the sale of intoxicating liquors in the town of Middletown, Henry county;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended, and

Mr. Pratt introduced,

No. 284. A joint resolution requiring the Treasurer of State to pay over certain moneys to the Michigan Road Company;

Which was read a first time and passed to a second reading.

On motion by Mr. Franklin,

House bill No. 160. A bill for the more effectual, just, and equal assessment and valuation of the real estate, personal property, moneys, rights, credits, effects, and corporation stock in the State of Indiana,

Was taken from the table.

Mr. Franklin moved to amend the amendment by striking out from the word "it," in the 3d line, to the word "and," in the 12th line.

Mr. Willard moved to lay the amendment to the amendment on the table.

On motion by Mr. Humphreys,

A call of the House was ordered.

After spending some time in the call,

Mr. Davis of Scott moved that a further call of the House be suspended;

Which motion did not prevail.

On motion,

Mr. Hosbrook was excused for the purpose of testifying as a witness before the Court of Common Pleas.

On motion by Mr. Goodwin,

The absentees were sent for, viz: Messrs. Bird, Blue, Caylor, and Conner.

Mr. Franklin moved to dispense with a further call of the House; Which was decided in the negative.

On motion by Mr. McClelland,

A further call of the House was dispensed with.

The question being to lay the amendment on the table,

The ayes noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Brown of Shelby, Bulla, Campbell, Coburn, Cowan, Crawford, Davis of Dubois, Donaldson, Edwards, Goodwin of Vigo, Graff, Hall, Hammond, Harris, Harrison, Haywood, Houghman, Hubbard, Hutchinson, Johnson, Jones,

Jordan, Lank, Lawrence, Lindsey, Marquess, Marshall, McCarty, McClelland, McMakin, Morgan, Painter, Pancake, Patterson of Marshall, Peckenpaugh, Phillips, Rice, Riley, Robbins, Ross, Thompson of Delaware, Usher, Walls, Watson, Willard, Withers, and Wittenmeyer—51.

*Those who voted in the negative were,*

Messrs. Bradley, Brown of Pike, Carr, Chapman, Clark, Crim, Davis of Scott, Elkins, Essex, Fleece, Franklin, Gentry, Goodwin of Daviess, Hamilton, Hicks, Humphreys, Isom, Jackson, Lewis, Marvin, McKim, Mercer, Millikan, Moore, Morrow, Nelson, Pratt, Reynolds, Shook, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thorn, Watt of Union, Watts of Jefferson, Williamson, Wilson, and Mr. Speaker—44.

So the amendment to the amendment was laid upon the table.

Mr. Chapman moved to amend the amendment, so as to strike out the 15th section.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Benson, Bradley, Brown of Pike, Carr, Caylor, Chapman, Clark, Conner, Elkins, Franklin, Gentry, Goodwin of Daviess, Hamilton, Hicks, Humphreys, Isom, Marvin, McCarty, Mercer, Millikan, Morrow, Nelson, Pratt, Reynolds, Shook, Shull, Stone, Schwartz, Swihart of Huntington, Thorn, Watt of Union, Watts of Jefferson, and Williamson—33.

*Those who voted in the negative were,*

Messrs. Armstrong, Bird, Blue, Brown of Shelby, Bulla, Campbell, Coburn, Cowan, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Essex, Fleece, Goodman of Vigo, Graff, Hall, Hammond, Harris, Harrison, Haywood, Hosbrook, Houghman, Hubbard, Hutchinson, Jackson, Johnston, Jones, Jordan, Lank, Lawrence, Lewis, Lindsey, Marquess, Marshall, McClelland, McKim, McMakin, Moore, Morgan, Painter, Pancake, Patterson of Marshall, Peckenpaugh, Phillips, Rice, Riley, Robbins, Ross, Simler, Stayner, Swihart of Wabash, Thompson of Delaware, Usher, Walls, Watson, Willard, Wilson, Withers, Wittenmeyer, and Mr. Speaker—63.

So the amendment to the amendment was not adopted.

The question then recurring on the amendment,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bulla, Carr, Coburn, Conner, Cowan,

Davis of Scott, Donaldson, Elkins, Essex, Fleece, Franklin, Gentry, Goodwin of Daviess, Graff, Hamilton, Harrison, Hosbrook, Houghman, Hubbard, Humphreys, Johnston, Jones, Jordan, Lank, Lawrence, Marshall, McCarty, McKim, Moore, Morgan, Morrow, Peck-enpauqh, Riley, Ross, Shook, Shull, Stayner, Stone, Schwartz, Swihart of Wabash, Thompson of Delaware, Thorn, Usher, Walls, Watson, Williamson, Wilson, Withers, Wittenmeyer, and Mr. Speaker—52.

*Those who voted in the negative were,*

Messrs. Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Caylor, Chapman, Clark, Crawford, Crim, Davis of Dubois, Edwards, Goodman of Vigo, Hall, Hammond, Harris, Haywood, Hicks, Hutchinson, Isom, Jackson, Lewis, Lindsey, Marquess, Marvin, McClelland, McMakin, Mercer, Millikan, Nelson, Painter, Pancake, Patterson of Marshall, Phillips, Pratt, Reynolds, Rice, Robbins, Simler, Swihart of Huntington, Watt of Union, Watts of Jefferson, and Willard—43.

So the amendment was adopted.

Mr. Williamson moved to amend by striking out in the seventh line the words "personal property."

Mr. Brown of Pike, moved to amend the amendment by striking out from the 8th and 9th lines, "and that the same have been valued at their true cash value," and the word "value," wherever it occurs in the 15th section.

The question being on the adoption of the amendment to the amendment,

Was decided in the negative.

The question then recurring on the adoption of the amendment, The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Bradley, Brown of Pike, Brown of Shelby, Carr, Caylor, Chapman, Clark, Conner, Crim, Elkins, Essex, Franklin, Gentry, Goodwin, Hamilton, Haywood, Hicks, Houghman, Hubbard, Humphreys, Hutchinson, Isom, Lewis, Marvin, McCarty, McClelland, McKim, Mercer, Millikan, Moore, Morrow, Nelson, Phillips, Pratt, Reynolds, Riley, Ross, Shook, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Delaware, Thorn, Watt, Watts, Williamson, Wilson and Wittenmeyer—52.

*Those who voted in the negative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bulla, Campbell, Coburn, Cowan, Crawford, Davis of Dubois, Davis of Scott, Don-

aldson, Edwards, Fleece, Goodman, Graff, Hall, Hammond, Harris, Harrison, Hosbrook, Jackson, Johnston, Jones, Jordan, Lank, Lawrence, Lindsey, Marquess, Marshall, McMakin, Morgan, Painter, Pancake, Patterson of Marshall, Peckenpough, Rice, Robbins, Usher, Walls, Watson, Willard, Withers and Mr. Speaker—43.

So the amendment was adopted.

A message from the Senate by Mr. Emerson, their Secretary.

# **MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House without amendment :

No. 15. An act to incorporate the Laporte male and female seminary.

No. 106. An act to amend an act entitled an act to incorporate the Greensburgh and Brookville Turnpike Company, approved Jan. 15, 1849.

No. 127. An act to amend an act to incorporate the Madison County Hydraulic Manufacturing Company, approved Jan. 15, 1849.

No. 132. An act to vacate part of the State Road leading from Harrison to Indianapolis.

No. 164. An act relative to recording deeds in Laporte county.

No. 170. An act declaring a certain county road therein named a State road.

No. 195. An act declaring Flat creek, in Pike and Dubois counties, a public highway.

No. 202. An act to authorize the assessment and collection of a specific tax for road purposes in the county of Marshall.

No. 206. An act to incorporate the town of Hope, in Bartholomew county.

Mr. Houghman moved to reconsider the vote on the amendment to the bill offered by Mr. Williamson,

On motion by Mr. Franklin,

The House adjourned to meet to-morrow morning at 9 o'clock.

THURSDAY MORNING, January 30, 1851.

The Journal of the preceding day was partly read,  
When,

On motion,

The further reading of the Journal was dispensed with.

PETITIONS, MEMORIALS, &C., PRESENTED.

By Mr. Coburn;

Five petitions from the citizens of Blackford and Jay counties, on  
the subject of temperance;

Which,

On motion,

Were referred to the committee on Temperance.

Mr. Coburn presented five temperance memorials from the ladies  
and gentlemen of the counties of Rush, Shelby, Blackford, Knox, and  
Fountain;

Which,

On motion,

Were referred to the committee on Temperance.

By Mr. Mercer;

The memorial of the citizens of Elkhart county, on the subject of  
temperance;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Cowan;

Two temperance memorials from the ladies and gentlemen of  
White county;

Which,

On motion,

Were referred to the committee on Temperance.

By Mr. Lank;

The memorial of the gentlemen of Randolph county, on the sub-  
ject of temperance;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Lawrence;

The temperance memorial of the citizens of Wayne county;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Hubbard;

The petition of one hundred citizens of the county of Henry, and in Wayne township, praying the re-enactment of a law prohibiting the sale of spirituous liquors in said township;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Mercer;

The petition of the citizens of Congressional township No. 33, north of range No. 7 west, in the State of Indiana, in reference to amending the free school laws;

Which,

On motion,

Was referred to the committee on Education.

By Mr. Blue;

The petition of the inhabitants of school district No. 4, township 32, north of range 6 east, in Kosciusko county, in reference to a school house;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Blue, Stayner, and Conner.

By Mr. Benson;

The petition of the citizens of Warren and Benton counties, in regard to the location of a State road between Williamsport, Warren county, and Oxford, in Benton county;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Benson, Watt, and Pratt.

By Mr. Swihart;

The petition of the citizens of the county of Kosciusko, asking the repeal of an act regulating the sale of spirituous liquors in said county;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Blue, Stayner, Swihart of Wabash, Elkins, and Shull.

On motion,

The order of business was suspended.

Mr. Pratt offered the following resolution:

*Resolved*, That the committee on Corporations be requested to report back to this House, with their recommendation, House bill No. —, being a bill amendatory to an act to incorporate the Lake Michigan, Logansport, and Ohio River Railroad Company.

Which was adopted.

By Mr. McCarty;  
The petition of eighty citizens of Putnam county, on the subject  
of a plank road;  
Which,

On motion,  
Was referred to the committee on Roads.

By Mr. McCarty;  
The petition of W. H. Thornburgh, of Putnam county;  
Which,

On motion,  
Was referred to a select committee of three consisting of Messrs.  
McCarty, Jordan, and Johnston.

#### REPORTS FROM COMMITTEES.

Mr. Armstrong, chairman of the committee on Elections, made  
the following report :

MR. SPEAKER :

The standing committee on Elections, to whom was referred the  
certificates of election of the respective members of the House, have  
examined the same and directed me to report that they find the fol-  
lowing named persons were duly elected and returned Representa-  
tives to this House at the general election on the first Monday in  
August last, and are as follows, to-wit :

From the counties of Adams and Wells—B. M. Elkins.

From the county of Allen—Ochmig Bird.

From the county of Bartholomew—Thomas Essex and Samuel  
W. Moore.

From the county of Brown—Jonathan Watson.

From the county of Boone—John H. Nelson and Henry M. Mar-  
vin.

From the counties of Cass and Howard—Daniel D. Pratt.

From the county of Carrol—Thomas Thompson.

From the county of Clark—George Schwartz and Thomas Carr.

From the county of Clay—Delana E. Williamson.

From the counties of Clinton and Tipton—Newton J. Jackson  
and James S. McClelland.

From the county of Crawford—Nicholas Peckenpaugh.

From the county of Dearborn—John B. Clark and Ebenezer Du-  
mont.

From the counties of Daviess and Martin—Benjamin Goodwin.

From the county of Delaware—Michael Thompson.

From the counties of DeKalb and Steuben—John Stayner.

From the county of Decatur—Robert H. Crawford.

From the county of Dubois—Silas Davis.

From the county of Elkhart—Milton Mercer.

From the county of Fayette—John V. Lindsey and Charles M. Stone.

From the county of Fountain—William K. Marquess.

From the county of Floyd—Ashbel P. Willard.

From the county of Franklin—Emanuel Withers and Andrew J. Ross.

From the county of Greene—Andrew Humphreys.

From the county of Grant—Joseph Morrow.

From the county of Gibson—George B. Graff.

From the county of Hamilton—William W. Conner.

From the counties of Huntington and Whitley—Henry Swihart.

From the county of Henry—Butler Hubbard and Russell Jordan.

From the county of Hancock—Aaron Caylor.

From the county of Hendricks—George Fleece.

From the county of Harrison—John Simler.

From the county of Jackson—John R. Hamilton.

From the counties of Jay and Blackford—William T. Shull.

From the county of Jefferson—Howard Watts and Joseph W. Chapman.

From the county of Jennings—Brannock Phillips.

From the county of Johnson—Gilderoy Hicks.

From the county of Kosciusko—Benjamin Blue.

From the county of Knox—James Thorn.

From the county of Lagrange—John P. Jones.

From the county of Laporte—James Bradley and William Millikan.

From the county of Lawrence—George Isom.

From the county of Miami—Richard F. Donaldson.

From the county of Montgomery—Thomas E. Harris and Robert W. McMakin.

From the county of Morgan—William P. Hammond<sup>1</sup>

From the county of Marion—John Coburn, Benjamin Morgan, and Percy Hcsbrook.

From the county of Monroe—Lemuel Gentry.

From the county of Madison—William Crim.

From the counties of Marshall, Fulton, and Starke—William M. Patterson.

From the county of Noble—Abraham Pancake.

From the county of Orange—John W. Rice.

From the county of Owen—William M. Franklin.

From the county of Putnam—Elijah McCarty and Archibald Johnston.

From the county of Parke—Gabriel Houghman and Isaac Robins.

From the county of Pike—Perry Brown.

From the county of Perry—John McKim.



From the county of Posey—John Hall and Silas M. Cox.

From the counties of Porter and Lake—William M. Harrison.

From the county of Rush—Henry Haywood and Davis Riley.

From the county of Ripley—Luther Shook.

From the county of Randolph—Elza Lank.

From the county of Sullivan—John H. Wilson.

From the county of Spencer—John Walls.

From the county of Shelby—George W. Brown.

From the county of St. Joseph—John Reynolds.

From the county of Scott—Samuel Davis.

From the counties of Switzerland and Ohio—Thomas Armstrong.

From the county of Tippecanoe—Thomas H. O'Neal and Alexander L. Patterson.

From the county of Union—William Watt.

From the county of Vanderburgh—Isaac Hutchinson.

From the county of Vigo—John P. Usher, William K. Edwards,

and William Goodman.

From the county of Vermillion—Benjamin Wittenmeyer.

From the county of Warwick—Eli Lewis.

From the county of Washington—James T. Campbell and Henry

Painter.

From the county of Warren—John Benson.

From the county of Wabash—Gabriel Swihart.

From the counties of White, Benton, Jasper, and Pulaski—John

M. Cowan.

From the county of Wayne—Miles Marshall, Edmund Lawrence,

and Joseph N. Bulla.

From the county of Wayne—Miles Marshall, Edmund Lawrence,

and Joseph N. Bulla.

Mr. Pratt, chairman of the committee on the States Prison, made

the following report :

MR. SPEAKER :

The committee on the Affairs of the States Prison, to whom was

referred bill of the Senate No. 129, have had the same under consid-

eration, and have directed me to report the same back to the House

with sundry amendments, and upon their adoption to recommend

the passage thereof.

No. 129. A bill for the construction of a sewer at the States

Prison.

Amend the 1st section in the 3d line by substituting "warden"

for "superintendent."

Also, strike out "said" where the same occurs before superintend-

ent near the close of section 1, and insert the word "the."

Amend the 2d section by inserting "the amount" after the word

"certify," and amend further at the close, "provided, however, that

an appeal may be taken by either party from the award of said ap-

praisers to the circuit court."

Amend the 3d section by striking out the words "the Auditor of said county."

Amend the 4th section by striking out of the 1st and 2d lines, "the superintendent of work on," and insert in lieu thereof, "warden of."

Which were adopted.

The bill, as amended, was ordered to be engrossed.

Mr. Ross, from the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred sundry petitions from citizens of Sullivan county on the subject of a railroad from Terre Haute through Sullivan county, to intersect the Evansville and Illinois Railroad, have directed me to report them back, and inform the House that a bill has passed this house that grants the prayers of said petitioners, and respectfully ask to be discharged from the further consideration of the same.

Which was concurred in.

Mr. Bradley, chairman of the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred Senate bill No. 85, "an act to amend an act entitled an act to incorporate the Harrison Draw Bridge Company," have had the same under consideration, and have directed me to report the same back to the House, and to recommend its indefinite postponement.

Which was concurred in.

Mr. Donaldson, from the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred House bill No. 235, "a bill to incorporate the White River Navigation Company," have had the same under consideration, and have directed me to report the same back without amendments, and respectfully recommend its passage.

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered, that the Clerk inform the Senate thereof.

Mr. Donaldson, from the committee on Corporations made the following report :

MR. SPEAKER :

The committee on Corporations to whom was referred House bill No. 190, an act to amend article 1, chapter 25 of the Revised Statutes of 1843, so far as relates to the town of Princeton, have had the same under consideration, and have directed me to report the same back with the following amendments, and when adopted to respectfully recommend its passage.

The bill was ordered to be engrossed.

Mr. Fleece, from the committee on Corporations, made the following report :

MR. SPEAKER :

The committee on Corporations, to whom was referred bill of the House No. 182, entitled an act to amend an act entitled an act to incorporate the Peru and Indianapolis Railroad Company, approved January 19, 1846, have had the same under consideration, and have instructed me to report it back without amendment, and respectfully recommend its passage.

On motion by Mr. Conner,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Fleece, from the Committee on Corporations, made the following report :

MR. SPEAKER :

The committee on Corporations, to whom was referred bill No. 229, entitled an act to amend an act entitled an act to incorporate the Indianapolis and Springfield Plank Road Company, approved Jan. 19, 1850, have had the same under consideration, and have instructed me to report it back without amendment, and respectfully ask its passage.

On motion by Mr. Houghman,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Fleece, from the committee on Corporations, made the following report :

MR. SPEAKER :

The committee on Corporations, to whom was referred House bill No. 185, have had the same under consideration, and have directed me to report the same back without amendment and recommend its passage.

No. 185. A bill to amend the charter of the Junction Railroad Company.

On motion by Mr. Chapman,

The bill was laid on the table.

Mr. Röss, from the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred bill of the Senate No. 114, entitled an act to incorporate the trustees of the Hartsville Academy, approved January 12, 1850, have had the same under consideration, and have instructed me to report the same back to the House with the following amendments, and when the same is adopted to recommend its passage:

Amend by striking out section 6 of said act. Also, amend by making section 7 that of section 6, and that of 8 to that of 7.

Which amendments were adopted, and the bill ordered to a third reading.

Mr. Ross from the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred bill of the House No. 204, entitled a bill to incorporate the Washington and Maysville Plank Road Company, in the county of Daviess, have had the same under consideration, and have directed me to report the same back and recommend its passage.

Was read a second time and ordered to be engrossed.

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Edwards, chairman of the committee on the State Bank, made the following report:

MR. SPEAKER:

The committee on the State Bank, to whom was referred a resolution of the House instructing them to inquire forthwith whether the individual stock of the State Bank is at this time required to pay the same ratio of taxes for State, county, township, and corporation purposes within the limitation of the 15th section of the charter, as is required to be paid by other property, have had the same under consideration and instructed me to report the accompanying reso-

lution and recommend its adoption, and ask leave further to consider the resolution referred to them.

*Resolved*, That the Auditor of State is hereby requested to communicate to this House forthwith, what rates of taxes is now paid upon the individual stock of the State Bank of Indiana, and under what law the taxes paid are collected, and whether said stock is chargeable under existing laws with any but State tax, and whether the tax that said stock now pays comes up to the maximum under the 18th section of the charter of said Bank.

Which was adopted.

Mr. Willard, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee, to whom was referred the petition of citizens relative to the New Albany and Vincennes McAdamized road, have requested me to report the accompanying bill and recommend its passage:

No. 285. A bill to incorporate the New Albany and Vincennes Plank Road Company.

Which was read a first time,

On motion,

The rule was suspended, and the bill read a second time and ordered to be engrossed.

Mr. Walls, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee, to whom was referred the petition of the inhabitants of Congressional township 6, range 4 west, have had the same under consideration, and have directed me to report by bill, and recommend its passage.

No. 286. A bill to enable the Auditor of Spencer county to convey a certain tract of land therein named, to John Masterson.

Which was read a first, second, and third times, the rules being suspended therefor. and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Schwartz, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee to whom was referred the petition of sundry citizens of Clark and Washington counties, praying for a State road

from Bennettsville to Salem, have had the same under consideration, and have directed me to report the accompanying bill, and recommend its passage, and ask to be discharged from the further consideration thereof.

No. 287. A bill to locate a State road from Bennettsville, in Clark county, to Salem, in Washington county.

Which was read a first time, and passed to a second reading.

Mr. McMakin, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred the consideration of the petition of Allen D. Beasley and others, praying this Legislature to locate a State road therein described, have had the same under consideration, and report the following bill and recommend its passage:

No. 288. A bill to locate a State road in the counties of Montgomery and Tippecanoe.

Which was read a first time and passed to a second reading.

Mr. Willard, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 30, have instructed me to report the same back with the following amendments, and ask the concurrence of the House therein.

Insert in the 9th line the first amendment, "the intersection of Market and Mulberry streets."

Strike out the 4th section and insert as follows:

At any time after the expiration of ten years from the passage of this act, the stock in that portion of said plank road lying between the cities of Jeffersonville and New Albany, shall revert to said cities in equal proportions, if they shall desire it; and if either of said cities shall refuse to take said stock, then it shall be lawful for the other city to take the whole of said stock. Said city or cities shall pay to the company what the value of the work done and materials furnished by the company shall be, the value to be ascertained by three commissioners appointed by the Governor of the State. And at any time after said term of ten years, it shall be lawful for said cities, or either of them, upon making such payment to said plank road company, to build a railroad from Jeffersonville to New Albany. And said city or cities shall be authorized to take the amount of stock necessary to construct said railroad, and if either of said cities refuse to build a railroad, then it shall be lawful for the

other city to proceed to build said railroad. Said plank road company shall not build a toll-gate within one hundred and sixty rods of the limits of the city of New Albany.

Which amendment was adopted, and the bill ordered to a third reading.

Mr. Hutchinson, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee, to whom was referred the petition of the Board of County Commissioners and other citizens of Vanderburgh county, praying the sale of the public square in Evansville, have had the same under consideration, and recommend their prayer to be granted.

Which was concurred in.

Mr. Bradley, from the apportionment committee, made the following report:

**MR. SPEAKER:**

The select committee to whom was referred the subject of the apportionment of Senators and Representatives in the General Assembly, and who were instructed by a resolution of the House, to fix the number of Senators at fifty and Representatives at one hundred, have had the subject under consideration, and have instructed me to report the accompanying bill and respectfully to recommend its passage:

No. 289. A bill to apportion the Senators and Representatives amongst the several counties.

Which was read a first time.

On motion by Mr. Ross,

The rule was suspended, and the bill read a second time.

On motion by Mr. Franklin,

The bill was laid on the table and 200 copies ordered to be printed.

Mr. Pratt from a select committee, made the following report:

**MR. SPEAKER:**

The select committee to whom was referred the petition of divers citizens, praying for the location of a State road from Pleasant Grove, in Fulton county, to Perrysburg, in Miami county, have had the subject matter of said petition under consideration and directed me to report the following bill and recommend its passage:

No. 290. A bill to locate a State road from Pleasant Grove, in Fulton county, by the way of the Fulton steam mill, to Perrysburgh, in Miami county;

Which was read a first time and passed to a second reading.

Mr. Hutchinson from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred House bill No. 254, for the sale of the public square in Evansville, and the application of its proceeds to the purchase of another square and the erection of new county buildings for Vanderburg county, have attended to their duty and recommend the passage of the bill.

On motion by Mr. Lewis,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

Mr. Hutchinson withdrew from the files of the House, the petition of the Commissioners of Vanderburgh county.

Mr. Usher from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred so much of the Governor's message as relates to the Swamp Lands donated by the General Government to the State of Indiana, have had the same under consideration and direct me to report the following bill and recommend its passage :

No. 291. A bill to provide for defraying the expense of selecting the overflowed and swamp lands in the State of Indiana, and for other purposes ;

Which was read a first time.

On motion by Mr. Davis of Scott,

The rule was suspended, and the bill read a second time.

Mr. Pratt offered the following amendment :

Add to section 1st—*Provided, however,* if the State revenue in the counties of Jasper, Pulaski, and Starke respectively, shall not be sufficient to meet such allowances, then the deficit shall be paid out of the State Treasury, upon the certificates of the Auditors of said counties respectively.

Which was adopted.

On motion by Mr. Dumont,

The bill was laid upon the table.

A message from the Governor, by Mr. Noel, his Executive messenger :



**MR. SPEAKER:**

I am directed by the Governor to inform the House of Representatives, that he has this day approved and signed the following bills:

No. 200. A joint resolution on the subject of the Michigan City Harbor;

No. 82. An act to amend section 13 of an act to increase and extend the benefit of common schools in the county of Noble, and for other purposes;

No. 68. An act to repeal an act therein named, so far as the same relates to the counties of Boone, Lawrence, and Martin;

No. 102. An act to locate a State road on the line dividing Bartholomew and Decatur counties;

No. 90. An act to enable the qualified voters of school district No. 7, in township 36 north of range three in Laporte county, to levy a tax in said district for the purpose of building a school house;

Mr. Lewis from a select committee, made the following report:

**MR. SPEAKER:**

The select committee to whom was referred House bill No. 260, entitled "a bill to incorporate the Newburg and Vanderburg Rail Road Company," have considered the same and instructed me to report it back and recommend its passage.

Which was concurred in.

On motion,

The rule was suspended and the bill read a third time and passed. Ordered that the Clerk inform the Senate thereof.

Mr. Bird from a select committee, made the following report:

**MR. SPEAKER:**

The select committee to whom was referred the petition of a citizen of Allen county, praying for an act to regulate the practice of law in the 12th Judicial Circuit, have had the same under consideration and directed me to report the same back to the House and recommend it to be indefinitely postponed, and ask that the committee be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Davis of Scott, from a select committee, made the following report:

**MR. SPEAKER:**

The committee to whom was referred the petitions of sundry cit-

izens of Allen county, asking the passage of an act granting the swamp and overflowed land to the several counties in which the same are situated, have had the same under consideration, and direct me to report that it is inexpedient to grant the prayer of said petitioners, and ask to be discharged from the further consideration of the same.

Which was concurred in.

On motion by Mr. Gentry,

The memorial of F. B. Butler was withdrawn from the files of House.

#### BILLS INTRODUCED.

By Mr. Dumont;

No. 292. A bill to regulate the mode of proceeding in suits against the White Water Valley Canal Company, for failing to build, repair, and keep up bridges at such places across such canal as said canal crosses any State or county road or street of a town;

Which was read a first and second times, the rule being suspended therefor, and referred to the committee on Canals and Internal Improvements.

By Mr. Pancake;

No. 293. A bill to incorporate the Albion and Lisbon Turnpike Company;

Which was read a first and second times, the rule being suspended therefor, and referred to the committee on Corporations.

By Mr. Jones;

No. 294. A bill to repeal an act therein named.

Which was read a first time and passed to a second reading.

By Mr. Peckenpaugh;

No. 295. A bill to locate a State road in the counties of Crawford and Perry;

Which was read a first, second and third times, the rule being suspended therefor and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Reynolds;

No. 296. A bill to incorporate the Grapevine Marsh Plank Road Company;

Which was read a first and second times, the rule being suspended therefor, and referred to the committee on Corporations.

By Mr. Rice;

No. 297. A bill for the relief of the inhabitants of district No. 1, in Congressional township No. 1, north of range No. 2 west, in Orange county.

By Mr. Caylor;

No. 298. A bill authorizing the administrator and widow of Josiah F. Oakes, deceased, to execute certain deeds of quit claim.

By Mr. Harrison;

No. 299. A bill to restrict the grand jurors of Porter and Lake counties to a limited time in their sessions, and for other purposes.

By Mr. McMakin;

No. 300. A bill to amend an act entitled an act requiring supervisors of roads in Colecreek township, Montgomery county, to keep the same in repair, and for other purposes therein contained.

Which were severally read a first, second and third times, the rule being suspended therefor and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Cowan;

No. 301. A bill to authorize the construction of a milldam across the Tippecanoe river, in White county;

Which was read a first time and passed to a second reading.

By Mr. Houghman;

No. 302. A bill to require non-residents to give security for costs;

Which was read a first time.

On motion,

The rule was suspended, the bill read a second time, and referred to the committee on the Judiciary.

By Mr. Hicks;

No. 303. A bill to incorporate the Franklin and Shelbyville Turnpike Company;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Shull;

No. 304. A bill to incorporate the Montpelier and Metamora Plank Road Company;

Which was read a first and second times, the rule being suspended therefor, and referred to the committee on Corporations.

On motion,

The order of business was suspended, and

Mr. Brown of Shelby offered the following resolution:

*Resolved*, That the committee of Ways and Means be instructed to inquire into the expediency of adopting some means by which the amount of blank scrip now on hand in the Treasurer's office shall be destroyed.

Which was adopted.

By Mr. Hicks;

No. 305. A bill in relation to the sale of spirituous liquors in Johnson county;

Which was read a first, second and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Swihart of Huntington;

No. 306. A bill to amend an act entitled an act to compel non-residents to pay a road tax equal to that paid by residents in the county of Whitley, approved January 16, 1850;

Which was read a first, second and third times, the rules being suspended therefor and passed.

Ordered that the clerk inform the Senate thereof.

By Mr. Bird;

No. 307. A bill for the further security of decedents' estates in Allen county;

Which was read a first and second times, the rule being suspended therefor and ordered to be engrossed.

By Mr. Crim;

No. 308. A bill to amend an act entitled an act to prohibit the sale of spirituous liquors in Adams, Fall Creek, and Anderson townships, Madison county, approved January 14, 1849;

Which was read first, second and third times, the rule being suspended therefor and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Shull;

No. 310. A bill to repeal certain acts therein named so far as the county of Jay is concerned;

Which was read a first, second and third times, the rule being suspended therefor and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Bird;

No. 311. A bill to incorporate the congregation of the German Evangelical Lutheran St. Paul's church in the City of Fort Wayne;

Which was read three several times, the rule being suspended therefor and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Brown of Pike;

No. 311. A bill extending the privileges of the State Library, to the Clerks, Auditors and Recorders of the several counties;

Which was read a first time,

On motion,

The rule was suspended, and the bill read a second time.

Mr. Edwards moved to amend the bill by extending its provisions to the citizens of the State generally;

Which motion prevailed.

On motion by Mr. Edwards,

The bill was indefinitely postponed.

On motion,

The order of business was suspended, and,

Mr. Hammond, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of sundry citizens of the county of Morgan, have had the same under consideration, and have directed me to report the following bill and recommend its passage:

No. 313. A bill authorizing certain persons therein named, to erect a toll bridge across the west fork of White river, at or near the falls in Morgan county;

Which was read a first, second and third times, the rule being suspended therefor and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

Mr. Hammond from the committee on Claims, made the following report:

MR. SPEAKER:

The committee on Claims to whom was referred the claim of George Smith to damages caused by a breach in the Northern Division of the Central Canal, have had the same under consideration, and have directed me to report the same back and recommend that the same be referred to the committee on Ways and Means with instructions to report the same back to the House in the general appropriation bill;

Which was concurred in.

On motion by Mr. Franklin;

Bill No. 153. A bill for the relief of Dempsey Linton, was taken from the table.

On motion by Mr. Lank,

The bill was referred to the committee on Claims.

#### ORDERS OF THE DAY.

The question being, will the House reconsider the vote on the adoption of Mr. Williamson's amendment to bill No. 160, viz:

"Amend by striking out in the 7th line, the words, 'personal property,'"

Pending at the adjournment yesterday,

Was decided in the affirmative.

Mr. Davis of Scott moved to lay the amendment upon the table ;  
Which motion did not prevail.

On motion by Mr. Pratt,

The bill and pending amendments were referred to the committee on Ways and Means.

Mr. Coburn offered the following instructions to the committee :

“ And to provide for the creation of a State Board of equalization to equalize the valuation between the several counties throughout the State by adding to or deducting from the county valuation ;

Which was not adopted.

Mr. Hicks offered the following instructions to the committee, viz :

That they be instructed “ to appoint township instead of county assessors ;

Which were not adopted.

A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House with sundry amendments ;

No. 244. An act to locate a State road in the county of Warwick ;

In which amendments the concurrence of the House is respectfully requested.

The amendments were concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House with sundry amendments :

No. 18. An act entitled an act fixing the salary of the Auditor of the county of Owen.

In which amendments the concurrence of the House is respectfully requested.

The amendments of the senate were concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representa-

tives that the Senate have passed the following engrossed bills thereof.

No. 179. An act in relation to a certain road and street therein named.

No. 186. A joint resolution in relation to the World's Fair.

No. 187. An act relative to the borough of Vincennes.

No. 191. An act to amend an act entitled an act to incorporate the town of Clinton, in Vermillion county, approved February 14th, 1848.

No. 192. An act transferring the duties of Agent of the Surplus Revenue Fund of Scott county to the Auditor of said county.

No. 194. An act to legalize an order for the publication of the delinquent list for the year 1850 in DeKalb county.

No. 196. An act to amend an act entitled an act to incorporate the West Delphi Bridge Company, approved February 15, 1838, and an act entitled an act to amend said act, approved January 23, 1847.

In which the concurrence of the House is respectfully requested.

Nos. 179 and 186, in the foregoing message, were each read a first time and passed to a second reading.

No. 187, in the foregoing message, was read a first and second times, the rule being suspended therefor, and ordered to a third reading.

No. 192, in the message, was read a first time, and,

On motion by Mr. Davis of Scott,

The rule was suspended, the bill read a second and third times, and passed.

Ordered that the Clerk inform the Senate thereof.

Nos. 191 and 194, in the message, were each read a first time and passed to a second reading.

No. 196, in the Message, was read a first time,

On motion by Mr. Thompson of Carroll,

The rule was suspended, the bill read a second and third times and passed.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary.

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof:

No. 53. An act to amend sections 54 and 55, article 5, of the Revised Statutes of 1843, so far as relates to the county of Miami.

No. 119. An act to incorporate the Goshen and Plymouth Plank Road Company.

No. 120. An act to incorporate the Commercial Railroad Company.

No. 123. An act to incorporate the New Trenton and Southgate Bridge and Road Company.

No. 124. An act to amend the act to incorporate the Brookville and Connersville Turnpike Company.

No. 137. An act to relocate a State road in DeKalb county.

No. 143. An act to incorporate a Gas Light Company in the city of Madison.

No. 144. An act to amend an act entitled an act to incorporate the Connersville and Brownsville Turnpike Company, approved 16th January, 1849.

No. 155. An act to amend an act entitled an act to incorporate the Wayne county Turnpike Company, approved December 5th, 1848.

No. 160. An act to incorporate the Anderson, Alexandria and Jonesborough Plank Road Company.

No. 176. An act declaring certain laws in force in the counties of DeKalb, Noble and Steuben.

No. 183. An act declaring a part of Poison creek, in Perry county, a public highway.

No. 184. An act to incorporate the Belleville Branch Railroad Company.

No. 195. An act in relation to streets and alleys in the town of Lexington, in Scott county.

No. 198. An act to incorporate the town of Pendleton, in Madison county.

In which the concurrence of the House is respectfully requested.

Nos. 53, 119, 120, 123, 124, 137, 144, and 155, contained in the foregoing message, were severally read a first time and passed to a second reading.

No. 160, contained in the foregoing message, was read a first time,

On motion by Mr. Crim,

The rule was suspended, the bill read a second time and referred to the committee on Corporations.

Nos. 183, 184, and 195, contained in the foregoing message,

Were severally read a first time and passed to a second reading.

No. 198, in the message,

Was read a first time.

On motion by Mr. Crim,

The rule was suspended, the bill read a second and third times and passed.

Ordered that the Clerk inform the Senate thereof.

No. 176, in the message,

Was read a first time and passed to a second reading.

A message from the Senate, by Mr. Emerson, their Secretary:



**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House, with one amendment:

No. 66. An act for the benefit of common schools in Boone county;

In which amendment the concurrence of the House is respectfully requested.

The amendment of the Senate was concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary:

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof:

No. 132. An act for the relief of the Administrator of the estate of Albert Monson, late of St. Joseph county;

No. 182. An act to organize a Court of Common Pleas, in the county of Jefferson;

In which the concurrence of the House of Representatives is respectfully requested.

No. 132, contained in the foregoing message,

Was read a first time.

On motion by Mr. Pratt,

The rule was suspended and the bill read a second time.

On motion by Mr. Chapman,

The bill was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 182, in the message,

Was read a first time and passed to a second reading.

A Message from the Senate by Mr. Emerson, their Secretary:

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof:

No. 75. An act to amend an act, entitled "an act to incorporate the Bedford Insurance Company, approved February 8, 1836, and to change the name of said company;"

No. 76. An act to amend the charter of the Madison Insurance Company;

No. 112. An act in relation to the commission and punishment of crime;

No. 153. An act to incorporate the Evansville Hotel Company;

No. 177. An act authorizing the Western Plank Road Company, to issue and sell bonds;

No. 178. An act to prevent consolidation of indictments in certain cases in Dearborn county;

No. 193. An act to fix a tax on a Museum in Lafayette;

No. 175. An act to amend an act entitled "an act to incorporate the Lafayette Plank Road Company, approved January 3, 1849;"

In which the concurrence of the House is respectfully requested.

Nos. 75, 76, 112, 153, 177, 178, 193, and 175, contained in the foregoing message,

Were severally read a first time and passed to a second reading.

A message from the Senate by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House without amendment:

No. 61. An act to amend an act entitled "an act relative to the leveeing of the Wabash river on Shaker Prairie, approved January 14, 1846," and to repeal an act amendatory thereto, approved January 21, 1850;

No. 140. An act to legalize certain acts of the Henry county Turnpike Company, and for other purposes;

No. 159. An act for the relief of George Coit;

No. 175. An act authorizing John Heiney to build a mill dam across the Salamoniam river;

No. 248. An act to extend the provisions of an act therein named, to a school district in the county of Fayette;

#### HOUSE BILLS ON THIRD READING.

No. 239. A bill to give county Treasurers until the 1st of April, 1851, to make settlements with the Auditor of State;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 242. A bill for the relief of Ebenezer F. Lucas;

Was read a third time, and

On motion by Mr. Edwards,

Referred to the committee on Claims, with instructions to inquire into the propriety of allowing the claim.

No. 243. A bill to defray the expenses of the Quarter Master General, and for other purposes.

No. 245. A bill to amend the general road law, approved January 16, 1849, so far as the same relates to the county of Cass.

No. 247. A bill to enable the qualified voters of school district No. 5, in township 37, range 3 west, in Laporte county, to build a union school house, and for other purposes;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 249. A bill to amend the 65th section of the 54th chapter of the Revised Statutes of 1843;

Was read a third time.

Mr. Dumont moved to commit the bill to the Judiciary committee with instructions to strike out "and costs" wherever it occurs.

On motion by Mr. Franklin,

The bill was indefinitely postponed.

Mr. Moore moved to take Senate bill No. 106, from the table;

Which motion did not prevail.

No. 250. A bill to authorize the inhabitants of school district No. 2, in township No. 36, range 3 west, in Laporte county, to levy an additional school tax;

Was read a third time.

By unanimous consent the words "shall be given" was inserted in the bill in the proper place.

The bill then passed.

Ordered that the Clerk inform the Senate thereof.

No. 252. A bill to repeal the 1st and 13th sections of chapter 50, of the Revised Code of 1843, so far as relates to the counties of Scott and Greene;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 266. A bill to incorporate the Central Michigan Plank Road Company;

Was read a third time,

On motion,

The bill was amended by striking out "8" and inserting "9."

The bill as amended passed.

Ordered that the Clerk inform the Senate thereof.

No. 269. A bill to incorporate the Madison Medical Society; at Madison, in the county of Jefferson.

No. 270. A bill for the relief of Thomas Decimus Franklin, Sophia Whitworth, William Whall, John Whall and Robert Whall.

No. 275. A bill to change a portion of a State road therein named, in the counties of Boone and Hamilton.

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

Mr. Dumont introduced;

No. 314. A bill to change the time of holding the circuit courts in the 3d and 13th Judicial circuits;

Which was read a first time and passed to a second reading.

On motion by Mr. Essex,

The House adjourned until 2 o'clock P. M.

2 o'clock, P. M.

House met.

## ORDERS OF THE DAY.

On motion,

The order of business was suspended.

Mr. Watts introduced,

No. 315. A bill to change the name of the Madison and Napoleon Turnpike Company ;

Which was read a first time.

On motion,

The rule was suspended, and the bill read a second time and ordered to be engrossed.

On motion,

The order of business was suspended.

Mr. Lewis introduced,

No. 316. A bill to authorize the Superintendent of common schools to publish and distribute the school laws of 1849 ;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended.

Mr. Patterson of Marshall presented the petition of sundry citizens of the county of Fulton, in regard to building a school house in district No. 4, in township 31, north of range 6 east, is Kosciusko county ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Patterson of Marshall, Bradley and Harrison.

On motion,

The order of business was suspended.

Mr. Bird introduced,

No. 317. A bill in reference to the poor of Wayne township, Allen county, Indiana ;

Was read a first time,

On motion,

The rule was suspended, and the bill read a second time and ordered to be engrossed.

## SENATE BILLS ON THIRD READING.

No. 90. A bill to incorporate the Ohio and Wabash Plank Road Company.

No. 130. A bill declaring Mill creek in Morgan county, a public highway.

No. 131. A bill to incorporate the New Albany Hotel Company.

No. 129. A bill for the construction of a sewer at the States Prison.

No. 136. A bill to change the name of Joseph Grandison Jones to that of Joseph Grandison Talbott.

No. 173. A bill to provide for a justice of the peace in West Franklin, Posey county;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

#### HOUSE BILLS ON SECOND READING.

No. 253. A bill to regulate the mode of doing township business in the county of Wabash.

No. 257. A bill to amend the charter of the Central Plank Road Company;

No. 259. A bill to amend an act regulating the time of holding Probate Courts in the county of Tipton;

No. 258. A bill to extend the powers of the Board of Commissioners of Delaware county;

Were severally read a second time and ordered to be engrossed.

No. 262. A bill to amend an act entitled an act to authorize the people of the several townships of the several counties to prohibit the retailing of spirituous liquors, approved January 28, 1847;

Was read a second time, and,

On motion by Mr. Humphreys,

Referred to the committee on the Judiciary.

No. 264. A bill to amend an act entitled an act to amend an act entitled an act to incorporate the city of Fort Wayne, and all acts and parts of acts amendatory thereto;

Was read a second time.

On motion by Mr. Bird,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 265. A bill defining the duties in certain cases therein named;

Was read a second time and ordered to be engrossed.

No. 267. A bill in relation to the streets and alleys in the town of Bowling Green, Clay county;

Was read a second time.

Mr. Williamson offered the following amendment:

Amend section 2 by inserting the words "streets and alleys," "of public utility."

Which was adopted.

On motion,

The rule was suspended, the bill as amended read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 268. A bill to establish a turnpike road;

Was read a second time,

On motion by Mr. Shull,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 271. A bill limiting the jurisdiction of the corporation of the town of South Bend, in the county of St. Joseph;

No. 272. A bill to define the jurisdiction of Justices of the Peace in the county of Carroll;

Were each read a second time and ordered to be engrossed.

No. 273. A bill to allow pay to the County Surveyor of War-  
rick county, Indiana, for surveying swamp lands in said county;

Was read a second time.

On motion by Mr. Humphreys,

The bill was laid on the table.

No. 274. A bill to incorporate the Indianapolis Gas-light and  
Coke Company;

Was read a second time and ordered to be engrossed.

No. 278. A bill for the relief of the Terre Haute and Richmond  
Railroad Company, and the Indiana Central Railway Company;

Was read a second time, and,

On motion by Mr. Willard,

Was laid upon the table.

No. 276. A bill for the better improvement of highways in the  
counties of Carroll and Delaware;

Was read a second time and ordered to be engrossed.

No. 277. A bill confirming the sale of the "Georgia Lands" to  
Martin R. Green;

Was read a second time.

On motion by Mr. Davis of Scott,

The bill was laid upon the table.

On motion,

The order of business was suspended.

Mr. Davis of Scott offered the following resolution:

*Resolved*, That the Governor and Secretary of State be requested to furnish this House copies of contracts, deeds and correspondence relating to the supposed sale of the "Georgia Lands" by the late Governor P. C. Dunning.

On motion by Mr. Willard,

The resolution was amended by inserting in the 4th line, "as soon as possible."

The resolution as amended was adopted.

No. 279. A bill to incorporate the Blountsville, Smithfield and Montpelier Plank Road Company;

Was read a second time and ordered to be engrossed.

#### SENATE BILLS ON SECOND READING.

No. 66. A bill to incorporate the Winchester and Greenville Railroad Company;

Was read a second time, and,

On motion by Mr. Ross,

Referred to the committee on Corporations.

No. 84. A preamble and act to amend an act entitled 'an act to incorporate the Indiana Canal Company, approved December 6th, 1848, and the amendment thereto, approved January 17, 1849;

Was read a second time and ordered to a third reading,

No. 87. A bill for the relief of the Martinsville and Franklin Railroad Company;

Was read a second time.

On motion,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 99. A bill to amend an act entitled an act to incorporate the Williamsburgh and Centerville Turnpike Company;

Was read a second time and ordered to a third reading.

No. 107. A bill authorizing licensed merchants to vend clocks;

Was read a second time.

On motion by Mr. Chapman,

The bill was referred to the committee on Ways and Means.

No. 109. A bill to incorporate the Plainfield Seminary;

Was read a second time and ordered to a third reading.

No. 111. A bill to incorporate the town of Covington in the county of Fountain;

Which was read a second time.

Mr. Marquess offered the following amendment:

SEC. —. The corporation of said town of Covington shall have power to build and maintain a wharf, or public landing, on the Wabash river, within the corporate limits of said town, and to regulate the landing of steam or flat boats, and shall also have the same power to license, regulate and control ferrys across said river, within the corporate limits of said town as has been heretofore exercised by the board of county commissioners of Fountain county, and for that purpose the same power is conferred on said common council under the same regulations as on boards of county commissioners by the law of this State.

Which was adopted, and the bill ordered to a third reading.

No. 113. A bill for the relief of persons residing within the lim-

its of corporate towns so far as relates to personal labor on the public highways:

Was read a second time, and,

On motion by Mr. Chapman,

Referred to the committee on roads.

No. 140. A bill for the benefit of the Auditor of Ripley county;

Was read a second time,

On motion by Mr. Shook,

The bill was referred to a select committee of Messrs. Shook, Johnson, and Simler.

No. 141. A bill establishing a State road in the counties of Orange and Crawford.

No. 145. A bill to vacate a certain portion of a State road:

Were each read a second time and ordered to a third reading.

No. 149. A bill for the encouragement of agriculture:

Was read a second time.

On motion by Mr. Humphreys,

The bill was referred to the committee on agriculture.

No. 150. A bill providing for the location of a State road from Troy, in Perry county, to Spencer, in Owen county;

Was read a second time, and,

On motion by Mr. Franklin,

Referred to the committee on roads.

No. 151. A bill to incorporate the town of New Winchester, in Hendricks county;

Was read a second time and ordered to a third reading.

No. 154. A bill authorizing County Auditors to administer oaths in certain cases therein specified;

Was read a second time,

On motion by Mr. Willard,

The bill was referred to the committee on Ways and Means.

No. 159. A bill to authorize the township trustees of Lawrenceburgh township, Dearborn county, to assess and collect a free bridge tax;

Was read a second time, and referred to a select committee consisting of Messrs. Dumont, Clark, and Armstrong.

No. 165. A bill to establish and legalize the name of Mary Jacoby, and for other purposes;

Was read a second time and ordered to a third reading.

#### HOUSE BILLS ON THIRD READING.

No. 193. A bill to authorize the election of a County Surveyor, in Green county.

No. 168. A bill to authorize the Lafayette Insurance Company to increase their capital;

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.



## HOUSE BILLS ON SECOND READING.

No. 280. A bill to regulate the issuing of executions and fee bills in the several courts in the counties of Marion, Dearborn, and Daviess, upon which no execution has issued for three years from the rendition thereof, and when fees have not been collected for three years from the termination of the suit in which the same is taxed;

Was read a second time.

Mr. Coburn offered the following amendment:

Add to the first section,

When said affidavit is made by an agent, or attorney, a receiver, or an assignee, or any other person interested, in order to obtain a fee bill, or execution, and such persons are hereby authorized to make said affidavit; said affidavit shall be, that said costs remain unpaid so far as affiant knows, and that he knows of no good cause why a fee bill should not be issued. It shall not be obligatory upon the person collecting cost to pursue the course pointed out by this act, but he may, if he choose, proceed by scire facias, or notice as heretofore.

Insert after the word "Marion" the word "Dearborn;"

Which amendments were adopted.

On motion by Mr. Goodwin,

The county of Daviess was added to the bill.

On motion,

The rule was suspended, and the bill read a third time and passed.

On motion,

The title was amended by adding the county of Dearborn and Daviess after the word Marion.

Ordered that the Clerk inform the Senate thereof.

No. 281. A bill to amend an act entitled, "an act relating to certain officers in the county of Dearborn," approved January 16, 1849.

No. 282. An act granting further powers to the township of Lawrenceburg in the county of Dearborn in the State of Indiana.

No. 283. A bill to prohibit the sale of intoxicating liquors in the town of Middletown, Henry county;

Were severally read a second time and ordered to be engrossed.

No. 284. A joint resolution requiring the Treasurer of State to pay over certain moneys to the Michigan Road Company;

Was read a second time.

On motion by Mr. Pratt,

The rule was suspended, the joint resolution read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

Mr. Ross introduced,

No. 318. A bill amending the criminal law of this State and declaring the meaning thereof;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended, and

Mr. Hamilton introduced,

No. 319. A bill to incorporate the Charleston and Brownstown Plank Road Company;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended, and

Mr. Dumont introduced,

No. 320. A bill authorizing the Treasurer and Auditor of State to re-settle with George H. Dunn, late Treasurer of State, and to correct any mistake that may be found in the former settlement of said Dunn;

Which was read a first time,

On motion,

The rule was suspended, the bill read a second time and referred with the accompanying documents, to the committee on Claims.

On motion,

The order of business was suspended, and

Mr. Swihart of Wabash introduced,

No. 321. A bill to incorporate the Wabash and Marion Plank Road Company;

Which was read a first and second times, the rule being suspended therefor and referred to the committee on Corporations.

On motion,

The order of business was suspended, and

Mr. Humphreys introduced,

No. 322. A bill for the benefit of the defenders of their country, exempting \$200 worth of property from taxation;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended, and

Mr. Willard introduced,

No. 323. A bill to amend the charter of the Lafayette and Indianapolis Railroad Company;

Which was read a first time.

Mr. Coburn offered the following amendment:

After "way" in the 4th line of section 1st insert, "with the consent of the property holders between the point where said road leaves the depot and said bank."

Mr. Marvin moved to lay the amendment on the table;

Which motion did not prevail.

Mr. Chapman offered the following amendment to the amendment:

Amend by adding the following proviso:

*Provided*, Said Railroad shall first obtain the consent of the present purchasers of said Canal.

On motion by Mr. Willard,

The bill and pending amendments were referred to the committee on Corporations.

On motion,

The order of business was suspended.

Mr. Ross introduced,

No. 324. A bill to authorize the election of Supervisors of roads in Laurel township, in Franklin county;

Which was read three several times, the rule being suspended therefor and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

Mr. McMakin presented,

The petition of the ladies of Montgomery county on the subject of Temperance;

Which,

On motion,

Was referred to the committee on Temperance.

On motion.

The order of business was suspended.

Mr. McMakin presented,

The temperance memorial of the gentlemen of Montgomery county;

Which,

On motion,

Was referred to the committee on Temperance.

On motion,

The order of business was suspended.

Mr. Hosbrook presented,

The temperance memorial of the gentlemen of Marion county;

Which,

On motion,

Was referred to the committee on Temperance.

On motion,

The order of business was suspended.

Mr. Chapman introduced,

No. 325. A joint resolution in relation to Western interests;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended.

Mr. Donaldson presented,  
The petition of the voters of Congressional township No. 28, north of range 4 east, in Miami county in regard to a school;  
Which,

On motion,  
Was referred to the committee on Education.

On motion,  
The order of business was suspended.

Mr. Caylor presented,  
The petition of citizens of Portland, Indiana, asking the name of said town to be changed to that of Cleveland, and also to incorporate it.

Mr. Caylor moved to lay it upon the table;  
Which motion did not prevail.

On motion,  
It was referred to the committee on Corporations.

On motion,  
The order of business was suspended.

Mr. Caylor introduced,  
No. 326. A bill to change the name of the town of Portland in Hancock county to that of Cleveland, and to incorporate the same;  
Which was read three several times, the rule being suspended therefor and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Coburn chairman of the committee on Engrossed Bills made the following report:

**MR. SPEAKER:**

The committee on Engrossed Bills, have examined bills numbered 168, 193 and 233, and report that they are correctly engrossed.

Mr. Shook, chairman of the committee on Enrolled Bills, made the following report:

**MR. SPEAKER:**

The committee on Enrolled Bills have compared the following and find them correctly enrolled.

No. 8. An act to provide for electing Supervisors by districts in the counties of Wells, Allen, Noble, Steuben, Miami, Henry, Lagrange, Tipton, Clinton, Harrison, Adams, Jay, Blackford and Morgan.

No. 106. An act to amend an act entitled, "an act to incorporate the Greensburgh and Brookville Turnpike Company," approved January 15, 1849.

No. 202. An act to authorize the assessment and collection of a specific tax for road purposes, in the county of Marshall.

Mr. Shook, chairman of the committee on Enrolled Bills made the following report:

**MR. SPEAKER:**

The committee on Enrolled Bills have examined the following and find them correctly enrolled :

No. 14. An act defining the duties of County Treasurers in the counties of Pike, Delaware, Daviess, Elkhart, Tipton, Sullivan, Noble, Washington, Marshall, Fulton, Stark, Johnson and Randolph.

No. 78. A joint resolution in relation to the bounty land law of Congress of September 28, 1850.

No. 108. An act for the relief of the Recorder of Franklin county.

No. 183. An act for the relief of persons who are likely to suffer by the destruction of the records of Sullivan county.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Gentry from the committee on Enrolled Bills made the following report :

**MR. SPEAKER:**

The committee on Enrolled Bills have compared the following enrolled bills with the engrossed bills of the House and find the same correctly enrolled, to-wit:

No. 95. An act authorizing the location of a State road from Hartford in Blackford county, through New Cumberland in Grant county to Kokomo in Howard county.

No. 111. An act amendatory of the act incorporating the townships of Dearborn county, so as to authorize the board of County Commissioners of said county to establish additional election precincts if they deem it expedient.

No. 155. An act to revive and extend the provisions of an act to incorporate the town of Anderson, approved February 17, 1849.

No. 218. An act to amend an act entitled an act to extend the term of the Probate court of the county of Monroe and for other purposes, approved January 21, 1850.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Elkins from the committee on Enrolled Bills made the following report:

MR. SPEAKER :

The committee on Enrolled Bills have compared bills Nos. 13, 148 and 113 and find them correctly enrolled.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Graff,

The House adjourned to meet to-morrow morning half after 8 o'clock.

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FRIDAY MORNING, January 31, 1851.

The House met.

The Journal of the preceding day was partly read.

When,

On motion,

The further reading of the Journal was dispensed with.

On motion by Mr. Painter,

Leave of absence was granted Mr. Campbell on account of a calamity at home.

#### PETITIONS, MEMORIALS, &C.

By Mr. Rice;

The petition of citizens of Orange county on the subject of a State road;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Rice, Peckenpough and Davis of Dubois.

By Mr. Hosbrook;

The claim of John Lister;

Which,

On motion,

Was referred to the committee on Claims.

By Mr. Hosbrook,  
The petition of the citizens of Wayne township, in Marion county, praying for an additional precinct for elections;  
Which,

On motion,  
Was referred to the committee on elections.

By Mr. McCarty,  
A Temperance Memorial from the citizens of Putnam county;  
Which,

On motion,  
Was referred to the committee on Temperance.

By Mr. Hicks,  
The petition of citizens of Johnson county, to reinstate the office of Auditor in said county;  
Which,

On motion,  
Was referred to a select committee consisting of Messrs. Hicks and Watson.

#### REPORTS FROM COMMITTEES.

Mr. Hutchinson from the committee on Ways and Means, made the following report:

**MR. SPEAKER :**

The committee on Ways and Means, to whom was referred Senate bill No. 103, have had the same under consideration and recommend its passage.

No. 103. A bill to authorize the Governor, Auditor, and Treasurer of State, to borrow money to pay the interest due on the funded debt, on the first day of July next, and defray the expenses of the Constitutional Convention.

Mr. Edwards moved to strike out of the third section of the bill, all that relates to the "Constitutional Convention."

Mr. Graff moved to re-commit, with the following instructions:

Recommit with instructions so to amend, that the amount found due on account of the Constitutional Convention, shall be paid to the members thereof, by a warrant on their respective county Treasuries, to be paid by them out of the first State tax to be collected for the current year of 1851.

The question being on the recommitting of the bill with instructions;

Was decided in the negative.

The question then recurring on striking out the third section,  
The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Blue, Brown of Pike, Brown of Shelby, Chapman, Davis of Dubois, Davis of Scott, Edwards, Fleece, Franklin, Gentry, Goodman, Goodwin, Hamilton, Hubbard, Humphreys, Jackson, Johnston, Jordan, Marvin, McCarty, McKim, McMakin, Millikan, Moore, Morrow, Painter, Peckenpaugh, Phillips, Pratt, Reynolds, Robbins, Shook, Swihart of Huntington, Swihart of Wabash, Thorn, Usher, Watson, Watt, and Watts—40.

*Those who voted in the negative were,*

Messrs. Benson, Bird, Bradley, Bulla, Carr, Caylor, Clark, Conner, Cowan, Cox, Crawford, Crim, Donaldson, Elkins, Essex, Graff, Hall, Harris, Harrison, Hicks, Hosbrook, Hutchinson, Isom, Jones, Lank, Lawrence, Lewis, Lindsey, Marquess, Marshall, Mercer, Morgan, Nelson, Pancake, Patterson of Marshall, Rice, Riley, Ross, Shull, Simler, Stayner, Stone, Schwartz, Thompson of Carroll, Thompson of Delaware, Willard, Wilson, Withers, Wittenmeyer, and Mr. Speaker—50.

So the third section was not stricken out.

Mr. Franklin moved to amend the third section, by striking out "sixty" and inserting "forty."

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Brown of Pike, Carr, Cox, Davis of Scott, Edwards, Fleece, Franklin, Goodman, Graff, Hammond, Harrison, Haywood, Humphreys, Jackson, Johnston, Lewis, McCarty, McKim, McMakin, Mercer, Nelson, Painter, Peckenpaugh, Phillips, Pratt, Robbins, Shook, Simler, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Watson, Williamson, Wilson, and Wittenmeyer—38.

*Those who voted in the negative were,*

Messrs. Benson, Bird, Blue, Bradley, Brown of Shelby, Bulla, Caylor, Chapman, Clark, Coburn, Conner, Cowan, Crawford, Crim, Davis of Dubois, Donaldson, Elkins, Essex, Gentry, Goodwin, Hall, Hamilton, Harris, Hicks, Hosbrook, Hubbard, Isom, Jones, Jordan, Lank, Lawrence, Lindsey, Marquess, Marshall, Marvin, Millikan, Moore, Morgan, Morrow, Pancake, Patterson of Marshall, Reynolds, Rice, Riley, Ross, Shull, Stayner, Stone, Schwartz, Swihart of Huntington, Watt, Watts, Willard, Withers, and Mr. Speaker—55.



Mr. Pratt moved to amend by striking out \$60,000, and inserting \$37,311.

Mr. Coburn moved to lay the amendment on the table.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Bradley, Bulla, Carr, Caylor, Clark, Coburn, Cowan, Cox, Crawford, Davis of Scott, Donaldson, Elkins, Essex, Graff, Hall, Harris, Hicks, Hosbrook, Isom, Jordan, Lank, Lawrence, Lewis, Lindsey, Marquess, Marshall, Marvin, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Rice, Riley, Ross, Shook, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Wabash, Thompson of Carroll, Thorn, Willard, Wilson, Withers, and Mr. Speaker—51.

*Those who voted in the negative were,*

Messrs. Brown of Pike, Brown of Shelby, Chapman, Conner, Crim, Davis of Dubois, Edwards, Fleece, Franklin, Gentry, Goodman, Goodwin, Hamilton, Hammond, Harrison, Haywood, Hubbard, Jackson, Johnston, McCarty, McKim, McMakin, Mercer, Millikan, Moore, Morrow, Peckenpaugh, Phillips, Pratt, Reynolds, Robbins, Swihart of Huntington, Thompson of Delaware, Usher, Watson, Watt, Watts, Williamson, and Wittenmeyer—40.

So the amendment was laid upon the table.

Mr. Usher moved to amend as follows:

*Provided*, That in negotiating said loan the State shall not pay more than six per cent. per annum interest, and the same shall not be payable until the first day of January, 1852.

Mr. Carr called for the previous question,

Which was not seconded by the House.

Mr. Caylor moved to amend the amendment as follows:

*Provided*, That the members of said Convention, who are members of the Legislature, shall receive a per diem and mileage for service in one body only.

Mr. Willard moved to lay the amendment to the amendment on the table.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bradley, Brown of Shelby, Bulla, Chapman,

Crawford, Crim, Davis of Dubois, Edwards, Essex, Gentry, Hall, Harrison, Hicks, Humphreys, Hutchinson, Lank, Lawrence, Lindsey, Marshall, Marquess, Millikan, Moore, Morrow, Patterson of Marshall, Ross, Stone, Schwartz, Thompson of Carroll, Thompson of Delaware, Thorn, Watson, Willard, Williamson, Wilson, Withers, and Wittenmeyer—37.

*Those who voted in the negative were,*

Messrs. Benson, Bird, Blue, Brown of Pike, Carr, Caylor, Coburn, Conner, Cowan, Cox, Davis of Scott, Donaldson, Elkins, Fleece, Franklin, Goodman, Goodwin, Graff, Hamilton, Hammond, Harris, Haywood, Hosbrook, Hubbard, Isom, Jackson, Johnston, Jones, Jordan, Marvin, McCarty, McKim, McMakin, Mercer, Morgan, Nelson, Painter, Pancake, Peckenpaugh, Phillips, Pratt, Reynolds, Rice, Riley, Robbins, Shook, Shull, Simler, Stayner, Swihart of Huntington, Swihart of Wabash, Usher, Watt, Watts, and Mr. Speaker—56.

So the amendment was not laid upon the table.

The question being on the adoption of the amendment to the amendment,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Brown of Pike, Caylor, Coburn, Conner, Edwards, Elkins, Fleece, Franklin, Goodman, Goodwin, Hamilton, Hammond, Haywood, Hosbrook, Hubbard, Isom, Jackson, Johnston, Marvin, McCarty, Mercer, Morgan, Nelson, Peckenpaugh, Pratt, Robbins, Shull, Swihart of Huntington, Thorn, Usher, Watson, Watts, and Mr. Speaker—33.

*Those who voted in the negative were,*

Messrs. Armstrong, Bird, Blue, Brown of Shelby, Bulla, Carr, Chapman, Clark, Cox, Crawford, Crim, Davis of Scott, Donaldson, Essex, Gentry, Graff, Hall, Harris, Harrison, Hicks, Humphreys, Hutchinson, Jordan, Lank, Lawrence, Lewis, Lindsey, Marquess, Marshall, McKim, McMakin, Millikan, Moore, Morrow, Painter, Pancake, Patterson of Marshall, Phillips, Reynolds, Rice, Riley, Ross, Shook, Simler, Stayner, Schwartz, Swihart of Wabash, Watt, Willard, Williamson, Wilson, Withers, and Wittenmeyer—53.

So the amendment to the amendment was not adopted.

Mr. Harrison moved to adjourn,

Which motion did not prevail.

Mr. Chapman offered the following amendment:

*And further provided*, That if the Governor, and other officers of State shall not in their discretion make said loan, that then it shall be the duty of the Auditor of State to give each member of the Convention a certificate of the amount due him as such member, and the same shall be paid by the Treasurer of the county where said member resides, out of the State revenue of 1851, to be collected by said Treasurer.

Which was accepted by the mover.

Mr. Pratt offered the following amendment to the amendment:

*Provided, however*, That the compensation of the members of the Convention shall be computed only to the first of February, 1851.

Mr. Bird called the previous question,

Which was not seconded by the House.

Mr. Harrison moved to lay the amendment to the amendment on the table.

Mr. Caylor moved to adjourn,

Which motion did not prevail.

The question being on laying the amendment to the amendment on the table,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Bradley, Carr, Chapman, Clark, Coburn, Cox, Crawford, Crim, Davis of Scott, Donaldson, Edwards, Elkins, Essex, Fleece, Goodman, Graff, Hall, Hamilton, Harris, Harrison, Hosbrook, Hubbard, Jones, Jordan, Lank, Lawrence, Lewis, Marquess, Marshall, Marvin, McMakin, Moore, Morgan, Morrow, Nelson, Painter, Pancake, Patterson of Marshall, Phillips, Rice, Riley, Ross, Shook, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Wabash, Thompson of Carroll, Watt, Watts, Willard, Williamson, Wilson, Withers, Wittenmeyer and Mr. Speaker—63.

*Those who voted in the negative were,*

Messrs. Blue, Brown of Pike, Brown of Shelby, Bulla, Caylor, Conner, Cowan, Davis of Dubois, Franklin, Gentry, Goodwin, Hammond, Haywood, Humphreys, Isom, Jackson, Johnston, Lindsey, McCarty, McKim, Mercer, Millikan, Peckenpough, Pratt, Reynolds, Robbins, Swihart of Huntington, Thompson of Delaware, Thorn, Usher, and Watson—31.

So the amendment to the amendment was laid on the table.

Mr. Johnston moved to amend the amendment by inserting the word "per annum," after the word "per cent."

Which was accepted by the mover.

Mr. Crawford offered the following amendment to the amendment:

*Provided*, The time shall not extend beyond the tenth of February, 1851.

On motion by Mr. Harrison,

The amendment to the amendment was laid on the table.

The amendment was adopted.

Mr. Williamson moved to adjourn.

Which motion did not prevail.

The question being, Shall the bill be ordered to a third reading.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson Bird, Bulla, Bradley, Brown of Pike, Carr, Clark, Coburn, Cowan, Cox, Crawford, Crim, Davis of Scott, Donaldson, Elkins, Essex, Goodwin, Graff, Hall, Harris, Harrison, Haywood, Hicks, Hosbrook, Isom, Jones, Jordan, Lank, Lawrence, Lewis, Lindsey, Marquess, Marshall, McKim, Morgan, Painter, Pancake, Patterson of Marshall, Peckenpaugh, Rice, Riley, Ross, Shull, Simler, Stayner, Stone, Schwarz, Thompson of Carroll, Thompson of Delaware, Thorn, Willard, Wilson, Withers, Wittenmeyer, and Mr. Speaker—56.

*Those who voted in the negative were,*

Messrs. Brown of Shelby, Bulla, Caylor, Chapman, Conner, Davis of Dubois, Edwards, Fleece, Franklin, Gentry, Goodman, Hamilton, Hammond, Hubbard, Humphreys, Jackson, Johnston, Marvin, McCarty, McMakin, Mercer, Millikan, Moore, Morrow, Nelson, Phillips, Pratt, Robbins, Shook, Swihart of Huntington, Swihart of Wabash, Usher, Walls, Watson, Watts, and Williamson—36.

So the bill was ordered to a third reading.

On motion by Mr. Phillips,

The House adjourned, to meet at half past one, P. M.

Half past one o'clock, P. M.

The House met.

# ORDERS OF THE DAY.

On motion by Mr. Brown of Shelby,

The special order, requiring the orders of the day to be taken up at 2 o'clock each day, was suspended.

Mr. Bird, from the committee on Ways and Means, made the following report :

**MR. SPEAKER:**

The committee, of Ways and Means to whom was referred a petition of sundry citizens of Sullivan county, praying until the 1st of June to collect the tax in said county, have had the same under consideration, and have instructed me to report it back and recommend it to be indefinitely postponed, and ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Willard, chairman of the committee of Ways and Means, made the following report :

**MR. SPEAKER:**

The committee of Ways and Means, to whom was referred House bill No. 160, have had the same under consideration, and have made various amendments thereto, which, when adopted, they recommend its passage.

The committee have made the following amendments to the said bill, to-wit :

Section 12, 7th line, after the words "county assessor," add these words, "and township assessors."

Strike out the 15th section, and insert the following :

**SEC. —.** That the statement required in the preceding section shall be made out by the person assessed, or by the assessor from information given by such person, and shall be signed by the person making it, and the assessor shall require of such person to take and subscribe on such statement an oath or affirmation, that to the best of his, her, or their knowledge, information or belief, the said statement contains a true, full and fair list of his, her or their moneys, rights, credits, and corporation stocks, and that the same have been valued at their true cash value ; which oath or affirmation may be administered by the said assessor or his deputy, who are hereby au-

thorized to administer all oaths that may be required in the performance of any of the duties of their office, the county auditor, or by any person authorized to administer oaths; and the said statement shall distinctly set forth :

1st. Money on hand, or on deposit, or at interest, either within or without this State, more than such person pays interest for;

2d. The value of all solvent demands against any person or body corporate, either within or without this State, more than such person or body corporate may be indebted;

3d. The value of all ships and steamboats, whether within or without this State;

4th. The value of all personal property appertaining to merchandising;

5th. The value of all personal property appertaining to manufacturing;

6th. The amount and value of all corporation stock, State and United States' stocks, whether within or without this State, held and owned by persons residents of this State.

Section 16, 3d line, strike out these words, "description and value of all real estate."

Section 16, 4th line, strike out these words, "the number of each."

Section 17, 4th line, strike out these words, "any real estate."

Section 17, 7th line, strike out these words, "real estate."

Section 18, 2d line, after the word "magistrate," add, "or other officer."

Section 18, 6th line, strike out these words, "real estate."

Section 18, 10th line, strike out these words, "the description and value of all real estate."

Section 18, 13th line, strike out these words, "real estate."

Section 18, 17th line, strike out these words, "of real estate."

Section 18, 21st line, strike out these words, "real estate."

To the end of section 28 add the following :

And if any railroad company shall not have in this State its principal office for the transaction of its financial business, it shall be the duty of the president, cashier, secretary, treasurer, engineer, or constructing agent of such company to furnish to the auditor of the county where the road first enters the State, a statement, under the oath or affirmation of the officer making it, specifying the amount and value of all real estate owned by such company in this State, the amount expended in the construction of said road in the line of this State, and the amount invested in machinery and rolling stock of every kind, which said machinery and rolling stock shall be assessed for taxation in proportion as the length of the road in this state bears to the length of the line of road completed.

Section 36, 2d line, strike out these words, "real estate."

Strike out sections 38, 39, 40, 42, and 54.

Section 47, 6th line, after the word "State," add, "more than such person or body corporate may be indebted."

Section 47, 7th line, after the word "State," add, "more than such person pays interest for."

Section 49, 3d line, strike out these words, "real estate and."

Section 53, 2d line, strike out these words, "real estate."

Section 53, 6th line, strike out these words, "real estate."

Add the following additional sections :

SEC. —. Each county assessor shall, annually, (except when the real estate is appraised,) at the time of taking a list of personal property, also take a list of all real estate situate in his county that shall have become subject to taxation since the last previous listing of property therein, with the value thereof, estimated agreeably to the rules prescribed by the law regulating the duties of appraisers of real estate, and all new improvements, buildings, or structures of any kind, the value of which shall not have been previously added to or included in the valuation of the land on which such improvements have been made or structures erected, and shall make return to the county auditor thereof, at the same time he is required by this act to make return of personal property; in which return he shall set forth the parcel of real property on which each of said improvements shall have been made or said structures erected, and the true value added to such parcel of real estate by the making of said improvement and the erection of such structure; and the additional sum which it is believed the land on which the improvement was made or structure erected will sell for at private sale, in consequence thereof, shall be considered the value of such new improvement or structure; and in case of destruction by fire, flood or otherwise, of any improvement, building or structure of any kind, which shall have been made or erected previous to the last valuation of the land on which the same shall have been, or the value of which may have been added to any former valuation of such land, the assessor shall determine, as nearly as practicable, how much less such land would sell for, at private sale, in consequence of such destruction, and make return thereof to the county auditor, as in this section before provided.

SEC. —. That each county auditor shall correct the valuation of any parcel of real property on which any new improvement may have been made or new structure erected, or on which any new improvement or structure shall have been destroyed, as specified in the preceding section, agreeably to the return thereof, made in accordance with the provisions of said section by the assessor, and assess taxes for that and for each succeeding year, upon such corrected valuation.

Mr. Brown of Shelby moved a call of the House.

Which motion did not prevail.

The amendments were adopted.

The question then being, Shall the bill be engrossed?

Was decided in the affirmative.

Mr. Edwards from the committee on the Judiciary, made the following report:

**MR. SPEAKER :**

The committee on the Judiciary, to whom was referred a resolution of the House, instructing them to enquire into the expediency of revising and simplifying the Probate laws, and if deemed advisable to dispense with complete records where estates are insolvent, and where there is no real estate belonging to the same; and also to reduce the fees of Clerks of the Probate Courts, and as far as practicable reduce the expenses of administering upon estates, have considered the same, and instructed me to report that the first branch of the resolution, relative to revising and simplifying the Probate laws, is inexpedient at this time, as the new Constitution will require a reorganization of the entire judicial system, and the appointment of a committee by the first Legislature held under the same, to revise the laws of the State generally.

The committee believe the Probate system to be greatly defective, and if they could possibly agree upon a substitute, the expense of putting the same into operation, when there is more than a probability that all the laws of the State will soon be revised, that any revision that can now be made, could be of no practical benefit, before a new revision would be made, thereby causing an unnecessary draught upon the Treasury of the State.

In compliance with the second and third branches of said resolution, relative to abolishing complete records, where estates are insolvent, and where there is no real estate, and in relation to the reduction of the fees of clerks and the expenses of administering upon estates, in Probate Courts, have instructed me to report the following bill and recommend its passage:

No. 327. A bill dispensing with complete records, and regulating the fees of Clerks in Probate Courts, in certain cases;

Which was read a first time and passed to a second reading.

Mr. Franklin from the committee on the Judiciary, made the following report:

**MR. SPEAKER :**

The committee on the Judiciary, to whom was referred House bill No. 68, have had the same under consideration, and directed me to report the following amendment thereto:

Amend section 1st, by adding at the close of said section, "and that the mortgage executed by the said Elder, upon said premises, bearing even date with said deed and executed for the purpose of securing the payment of the purchase money of said premises, be also declared a good and valid mortgage, and shall hold a lien upon said premises in said deed mentioned, until full payment of the purchase money thereof;



Which was adopted.

The bill as amended was ordered to a third reading.

Mr. Chapman, chairman of the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred the several matters connected with the sale of the Northern Division of the Central Canal, have had the subject under consideration and have directed me to report the following joint resolution and recommend its passage:

No. 328. A joint resolution concerning the sale of the Northern Division of the Central Canal;

Which was read a first time and passed to a second reading.

Mr. Edwards from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The Judiciary committee, to whom was referred a bill of the House, No. 187, entitled "a bill to enable the voters of Orange township, in the county of Fayette, to elect an additional Justice of the Peace," have considered the same and directed me to report it back to the House with an amendment, and when so amended, to recommend its passage.

Strike out of the first section, the following:

"Who shall be and continue a resident of the south part thereof, during the period he holds said office."

Which was concurred in and the bill ordered to be engrossed.

Mr. Lewis, chairman of the committee on Education, made the following report:

**MR. SPEAKER:**

The committee on Education, to whom was referred Senate bill No. 19, have had the same under consideration and have directed me to report favorable and recommend its passage:

No. 19. A bill to amend an act entitled "an act to increase and extend the benefits of common schools, approved January 17, 1849;

And the bill was ordered to a third reading.

Mr. Donaldson from the committee on Claims, made the following report:

**MR. SPEAKER:**

The standing committee on Claims, to whom was referred the claim of A. P. Carrel of Howard county, against the State of Indiana, for one hundred and ten dollars, have had the same under consideration and have directed me to report that it is inexpedient to allow said claim or any part thereof, and ask to be discharged from the further consideration of the subject.

On motion by Mr. Pratt,

The report was laid upon the table.

Mr. Watt, chairman of the committee on Roads, made the following report:

**MR. SPEAKER:**

The committee on roads to whom was referred the petition of sundry citizens of Clay and Owen counties, praying for the location of a State road therein named, have had the same under consideration, and directed me to make the following report, viz :

That, whereas, the 3d section of an act entitled an act to revise and consolidate the several acts of the General Assembly for laying out, opening, repairing, &c., changing and vacating public highways, and bridges, and the repair of the same, &c., to amend the same approved January 16, 1849, requires that notice of such intended application to the Legislature shall be given by written or printed notices, posted in three public places in each county in the vicinity of the highway proposed to be located, at least twenty days before such petition is presented; and, whereas, your committee have not sufficient evidence before them that such notice has been given, your committee therefore recommend said petition to be laid on the table, and ask to be discharged from its further consideration.

Which was concurred in.

Mr. Crawford, chairman of the committee on Canals and Internal Improvements, made the following report:

**MR. SPEAKER:**

The committee to whom was referred bill No. 292, a bill to regulate the mode of proceeding in suits against the White Water Valley Canal Company, for failing to build, repair, and keep up bridges at such places across such canal, as said canal crosses any State or county road, or street of a town, have had the same under consideration, and have directed me to report it back to the House and recommend its passage, and the committee ask to be discharged from the further consideration of the subject.

Which was concurred in and the bill ordered to be engrossed.

Mr. Watt, Chairman of the committee on Roads, made the following report:

MR. SPEAKER:

The committee on Roads, to whom was referred the petition of sundry citizens of Allen and Huntington counties, asking for a law authorizing the supervisors of roads in certain townships in said counties, to improve the channels of streams therein named, in the same manner as they do public roads, have had the same under consideration, and have directed me to report that it would be inexpedient to legislate thereon, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Bradley, chairman of the committee on Corporations, made the following report;

MR. SPEAKER:

The committee on Corporations, to whom was referred bill No. 141, an act to amend an act to incorporate the Logansport and Rochester Michigan Road Company, approved January 15th, 1846, have had the same under consideration, and have instructed me to report the same back to the House with sundry amendments, and upon the adoption thereof respectfully to recommend its passage.

Which was concurred in and the bill ordered to be engrossed.

Mr. Ross, from the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred a petition of sundry citizens, being property holders of the town of Aurora, in the county of Dearborn, have considered the same, and instructed me to report the accompanying bill and recommend its passage:

No. 329. A bill to repeal the 5th, 6th, and 7th sections of an act to amend an act granting to the citizens of the town of Aurora, in the county of Dearborn, a city charter, approved January 19, 1850.

Which was read a first and second time, the rule being suspended therefor, and,

On motion by Mr. Clark,

Referred to a select committee consisting of Messrs. Clark, Ross, and Armstrong.

On motion,  
The order of business was suspended, and,  
Mr. Clark offered a memorial on the same subject,  
Which,

On motion,  
Was referred to the same committee.

Mr. Fleece, from the committee on Corporations, made the following report:

**MR. SPEAKER:**

The committee on Corporations, to whom was referred bill of the House No. 219, A bill to incorporate the Rising Sun Hotel Company, have had the same under consideration, and have instructed me to report the same back to the House with the following amendments and upon the adoption thereof, respectfully to recommend its passage.

Which was concurred in and the bill ordered to be engrossed.

Mr. Bradley, chairman of the committee on Corporations, made the following report:

**MR. SPEAKER:**

The committee on Corporations who were instructed by a resolution of the House to inquire into the expediency of taking from the Central Plank road their charter, in consequence of certain alleged violations thereof, have had the same under consideration, and have instructed me to report that your committee have no means on hand of ascertaining whether or not said charter has been violated, and ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Bradley, chairman of the committee on Corporations, made the following report:

**MR. SPEAKER:**

The committee on Corporations, to whom was referred Senate bill No. 83, an act to incorporate the Covington and Danville Plank Road Company, have had the same under consideration, have made sundry amendments thereto, and upon the adoption of the same have instructed me to respectfully recommend its passage.

Amend by adding after the 26th section the following sections:

**SEC. 27.** The said company in constructing their said road, may diverge from the route west of the Wabash river, indicated in the articles of association of the Covington and Danville Plank Road Company, so as to strike the State line at any point they may deem desirable, and for that purpose may extend the length of their said

road with a corresponding increase of their capital stock if it should become necessary.

**SEC. 28.** So soon as two miles of the said road shall have been completed, the State road from Covington to the State line in the direction of Danville, Illinois, to the extent of the completed portion of the said plank road, shall be and the same is hereby vacated, and thereafter as other and further portions of said Plank Road shall be completed the corresponding parts of said State road shall become and be vacated.

**SEC. 29.** The president and Directors of the said company, shall be individually liable for all debts by them contracted exceeding the amount of solvent stock subscribed at the time.

Amend by changing the number of the 27th section, to that of the 28th section.

Which amendments were adopted.

The bill as amended was ordered to a third reading.

Mr. Watts from the committee on the State Bank made the following report:

**MR. SPEAKER:**

The committee on the State Bank to whom was referred the annual reports of the several branches of the State Bank, for the year 1850, have examined the same and find them made out in accordance with the charter of said State Bank—that they have no legislation at this time to recommend, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Edwards, chairman of the committee on the State Bank, made the following report:

**MR. SPEAKER:**

The committee on the State Bank, to whom was referred a resolution of the House instructing them to inquire whether the State Bank through any of its branches has violated its charter by taking usurious interest, under the name of exchange, have considered the same and instructed me to report, that no information has been communicated to them on the subject, and no means has been presented to authorize them to proceed to the investigation thereof, and have therefore instructed me to report it back to the House as inexpedient to legislate upon.

Which was concurred in.

Mr. Gentry from the committee on Enrolled Bills made the following report:

**MR. SPEAKER:**

The committee on Enrolled Bills have compared the following enrolled bills with the engrossed bills of the House and find the same correctly enrolled, to-wit:

Bills Nos. 128, 53, 210, 157, 149, 123, 138, and 136;

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Hutchinson from a select committee, made the following report:

**MR. SPEAKER:**

The select committee to whom was referred the petition of Harvey Bates and a bill for the relief of said Bates, have had the same under consideration, and have directed me to report said bill back to the House without amendment and recommend its passage:

No. —. A bill for the relief of Harvey Bates.

On motion by Mr. Coburn,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Clark from a select committee, made the following report:

**MR. SPEAKER:**

The select committee to whom was referred the Petition of Philip Snider and others praying for an amendment to the act incorporating the Rising Sun and Versailles Turnpike Company, have had the same under consideration, and instructed me to report that it is inexpedient to legislate upon the subject and ask to be discharged from the further consideration of the same.

Which was concurred in.

Mr. Blue from a select committee made the following report:

**MR. SPEAKER:**

The select committee, to whom was referred sundry petitions from citizens of Kosciusko county, praying the repeal of a special act in regard to the traffic of spirituous liquors in said county, approved January 19, 1850, have had the same under consideration, and have directed me to report the accompanying bill and recommend its passage:

No. 330. A bill to repeal an act to regulate the retailing of spirituous liquors in the county of Kosciusko, approved January 19, 1850.

Which was read a first time and passed to a second reading.

Mr. Marshall, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred Senate bill No. 56, "an act to locate a state road on the line dividing Wayne and Randolph counties," have had the same under consideration, and directed me to report the same back without amendment and recommend its passage.

Which was concurred in, and the bill ordered to a third reading.

Mr. McCarty, from a select committee, made the following report:

MR. SPEAKER :

The select committee to whom was referred the petition of W. H. Thornburg, of New Castle, for the vacation of certain streets and alleys in said town, have had the same under consideration, and have directed me to report the following bill and recommend its passage :

No. 331. A bill to vacate an alley in the town of Greencastle, in Putnam county.

Which was read three several times, the rules being suspended therefor, and passed.

Ordered, that the Clerk inform the Senate thereof.

Mr. Hutchinson, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred bill 228, for the annexation of Lamasco to Evansville, have had the same under consideration, report favorable, and recommend the passage of the same.

The bill was ordered to be engrossed.

On motion,

Leave was granted Mr. Bird to withdraw a petition of the citizens of Allen county from the files of the House.

On motion by Mr. Willard,

House bill No. 278, a bill for the relief of the Terre Haute and Richmond Railroad Company, and the Indiana Railway Company,

Was taken from the table and placed upon the files of the House.

Mr. Hubbard, from a select committee, made the following report:

## FRIEND SPEAKER:

The committee to whom was referred the petition of sundry citizens of Wayne township, in the county of Henry, praying for the passage of a law to prohibit the sale of spirituous liquors in said township, have had the subject matter under consideration, and have directed me to report the following bill and recommend its passage :

No. 332. A bill to prevent intemperance in Wayne township, in the county of Henry.

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended,

Mr. Benson introduced

No. 333. A bill to extend the time of holding the sessions of the Board of County Commissioners of Warren county.

Which was read a first time and passed to a second reading.

On motion by Mr. Davis of Scott,

No. 291. A bill to provide for defraying the expense of selecting the overflowed and swamp lands in the State of Indiana, and for other purposes,

Was taken from the table and placed upon the files of the House.

On motion,

The order of business was suspended.

Mr. Gentry introduced

No 334. A bill to give the Judge of the Probate Court of Monroe county authority to issue and try writs of habeas corpus.

Which was read a first time.

On motion,

The rule was suspended and the bill read a second time.

On motion by Mr. Chapman,

Was referred to the committee on the Judiciary.

On motion,

The order of business was suspended.

Mr. Lewis offered the following resolution :

*Resolved*, That the Auditor of State be requested to lay before the House of Representatives, at his earliest convenience, a statement of the amount of rent reserved to be paid by the several lessees of the State Prison to the State since the first prison was erected, and how much of said rents have from time to time been paid into the State Treasury, and what allowances have been made to the several lessees during the continuance of their respective leases, and how paid, and to state debit and credit between the lessee and the State at the end of each current year.



Which was adopted.

On motion,

The order of business was suspended, and  
Mr. Rice offered the following resolution :

*Resolved*, That the Committee on Education be instructed to so amend the common school law as to require the Auditor of State to ascertain the amount of congressional township fund belonging to each county in this State, and to apportion the amount of surplus revenue, saline, and bank tax fund as to equalize the amount of available funds in each county, as near as may be, according to the number of scholars therein.

Which was not adopted.

On motion,

The order of business was suspended, and,  
Mr. Nelson offered the following resolution :

*Resolved*, That the committee on Ways and Means be instructed to inquire into the expediency of reducing the penalty on delinquent taxes from ten to six per cent., with leave to report by bill or otherwise.

Which was adopted.

On motion,

The order of business was suspended, and

Mr. Haywood introduced

No. 335. A bill to change the mode of assessing the personal and real estate in Rush county;

Which was read a first time, and passed to a second reading.

On motion,

The order of business was suspended, and

Mr. Carr introduced

No. 336. A bill to amend "an act in relation to the service of subpoenas in chancery ;"

Which was read a first and second times, the rules being suspended therefor, and referred to the committee on the Judiciary.

On motion,

The order of business was suspended, and

Mr. Franklin introduced bill

No. 337. A bill to extend an act entitled "an act to authorize the Sheriff of Lawrence county to serve process issued by Justices of the Peace in certain cases," to the county of Owen ;

Which was read a first time and passed to a second reading.

On motion by Mr. Brown of Shelby,

The vote on the indefinite postponement of Senate bill

No. 32. A bill to amend an act entitled "an act to incorporate the Hamilton Manufacturing Company,"

Was reconsidered.

The question being on the indefinite postponement of the bill,

Was decided in the negative.

The question then recurring on the passage of the bill,

Was decided in the affirmative.

So the bill passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

Mr. Brown of Shelby introduced a petition on the subject of a public highway in Shelby county ;

Which,

On motion,

Was referred to the same committee to which the bill upon the same subject was referred.

On motion by Mr. Moore,

Senate bill No. 106, a bill to amend an act entitled "an act to protect from waste certain lands therein mentioned," approved Dec. 13, 1849,

Was taken from the table and placed on the files of the House.

A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House with one amendment :

No. 179. An act to prohibit the traffic of intoxicating liquors in the town of Columbus.

In which amendment the concurrence of the House is respectfully requested.

Which was adopted.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have disagreed to the engrossed amendment of the House to the engrossed bill of the Senate entitled

No. 65. An act to incorporate the Sparta and Versailles Turnpike Company.

Mr. Clark moved that the House recede from their amendment.

Which motion did not prevail.

On motion by Mr. Humphreys,  
 The House insisted on their amendment.  
 Ordered that the Clerk inform the Senate thereof.  
 A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House with sundry amendments :

No. 60. An act relative to plank roads.

No. 163. An act to incorporate the Pittsburgh and Crawfordsville Plank Road Company.

No. 201. An act to amend an act entitled an act to increase and extend the benefits of common schools, approved January 17, 1849, and the act declaring said act in force, approved January 19, 1850, so far as the same relates to the county of Vigo.

In which amendments the concurrence of the House is respectfully requested.

The amendment of the Senate to bill No. 60, in the foregoing message, was concurred in.

The amendment of the Senate to bill No. 163, was concurred in.

The amendment of the Senate to bill of the House No. 201, was concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate adhere to their disagreement to the engrossed amendment of the House to engrossed bill of the Senate, entitled,

No. 63. An act in relation to the suit of the Vincennes University against the State of Indiana.

Senate bill No. 143. A bill to incorporate a Gas-light Company in the city of Madison ;

Was read a first time and passed to a second reading.

A message from the Senate, by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof:

No. 135. An act to amend section 2 of an act entitled an act to amend the laws relating to execution of deeds by order of the Probate Court, approved January 15, 1849;

No. 152. An act defining the duties of Auditor and Treasurer of the counties of DeKalb and Noble, and for other purposes;

No. 158. An act to prevent clerks and sheriffs purchasing judgments in the court to which they act as clerks and sheriffs;

No. 170. An act to amend an act entitled "an act to incorporate the Crawfordsville and Wabash Rail Road Company, approved January 19, 1846, and the acts amendatory thereto;

No. 185. An act to locate a State road from Doverhill, in Martin county, to Bloomington, in Monroe county;

No. 189. An act for the relief of Barbara Elder, of the county of Union;

No. 188. An act to amend an act entitled "an act to incorporate the Mooreshill and Aurora Turnpike Company, approved February 15, 1848;"

No. 197. An act to repeal an act therein named;

No. 199. An act to amend an act entitled "an act to establish a State road therein named;

No. 209. An act for the relief of Hezekiah A. Sutton, of Jackson county;

No. 200. An act to amend the charter of the Madison and Brownstown Turnpike Company;

No. 205. An act to change the name of Levi Gear, to that of Levi Frash;

In which the concurrence of the House is respectfully requested.

Nos. 135 and 152, in the foregoing message,

Were each read a first time and passed to a second reading.

No. 158 was read a first time and passed to a second reading.

No. 170, in the foregoing message,

Was read a first time.

On motion by Mr. Johnston,

The rule was suspended, the bill read a second time, and referred to a select committee consisting of Messrs. Johnson, McCarty, McMakin, and Harris.

Nos. 185, 189, 188, and 197, in the foregoing message,

Were severally read a first time and passed to a second reading.

No. 199 contained in the foregoing message,

Was read a first time.

On motion by Mr. Crim,

The rule was suspended, the bill read a second and third times, and passed.

Ordered that the Clerk inform the Senate thereof.

Nos. 209, 200, and 205, in the foregoing message,

Were severally read a first time and passed to a second reading.

A message from the Senate by Mr. Emerson, their Secretary.

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have agreed to engrossed amendments of the House to the engrossed bills of the Senate, entitled,

No. 80. An act to re-organize the Evansville Insurance Companies, chartered under the several acts of February 8th, 1836, and January 21st, 1850;

No. 95. An act to amend the 12th section of chapter 56, of the Revised Statutes of 1843;

A message from the Senate by Mr. Emerson their Secretary:

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House without amendment:

No. 11. An act requiring the Secretary of State to issue a Patent to Daniel K: Smith, for a tract of land therein named;

No. 88. An act to amend sections 302, 203, and 304, of article 13, chapter 47, Revised Statutes of 1843, also section 2, of chapter 61, on pages 1030, 1031, and 1032 of Revised Statutes of 1843, and for other purposes;

No. 97. An act relative to the practice of law.

A Message from the Senate by Mr. Emerson, their Secretary:

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof, to-wit:

No. 208. An act to incorporate the Danville and White Lick Plank Road Company.

In which the concurrence of the House is respectfully requested.

The bill was read a first time and passed to a second reading.

#### HOUSE BILLS ON THIRD READING.

No. 190. A bill to amend article 1, chapter 25, of Revised Statutes of 1843, so far as relates to the town of Princeton, in Gibson county;

No. 253. A bill to regulate the mode of doing township business in the county of Wabash;

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 257. A bill to amend the charter of the Central Plank Road Company;

Was read a third time.

On motion by Mr. Johnston,

The bill was indefinitely postponed.

No. 258. A bill to extend the powers of the Board of Commissioners of Delaware county;

No. 259. A bill to amend an act regulating the time of holding Probate Courts in the county of Tipton;

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 265. A bill defining the duties of the Governor in certain cases therein named;

No. 267. A bill in relation to the streets and alleys in the town of Bowling Green, in Clay county;

No. 272. A bill to define the jurisdiction of Justices of the Peace in the county of Carroll;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 274. A bill to incorporate the Indianapolis Gas-Light and Coke Company;

No. 276. A bill for the better improvement of Highways in the counties of Carroll and Delaware;

No. 279. A bill to incorporate the Blountsville, Smithfield and Montpelier Plank Road Company;

No. 281. A bill to amend an act entitled an act relating to certain officers in the county of Dearborn, approved January 16, 1849;

No. 282. A bill granting further powers to the township of Lawrenceburg, in the county of Dearborn, in the State of Indiana;

No. 283. A bill to prohibit the sale of intoxicating liquors in the town of Middletown, Henry county;

No. 285. A bill to incorporate the New Albany and Vincennes Plank Road Company;

No. 271. A bill limiting the jurisdiction of the corporation of the town of South Bend, in the county of St. Joseph;

No. 309. A bill for the further security of decedent's estates in Allen county;

No. 315. A bill to change the name of the Madison and Napoleon Turnpike Company;

No. 317. A bill in reference to the poor of Wayne township, Allen county, Indiana;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

## SENATE BILLS ON THIRD READING.

No. 30. A bill relative to the Clark county Central Plank Road Company;

No. 84. A preamble and act to amend an act to incorporate the Indiana Canal Company, approved December 6th, 1848, and the amendment thereto, approved January 17, 1849;

No. 99. A bill to amend an act entitled an act to incorporate the Williamsburg and Centerville Turnpike Company;

No. 109. A bill to incorporate the Plainfield Seminary;

No. 111. A bill to incorporate the town of Covington, in the county of Fountain;

No. 114. A bill to amend an act entitled an act to incorporate the Trustees of the Hartsville Academy, approved January 12th, 1850;

No. 129. A bill for the construction of a sewer for the State's Prison:

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

— On motion by Mr. Williamson,

Senate bill No. 81. A bill to repeal an act therein named relative to the election of county Prosecutors;

Was taken from the table and placed upon the files of the House.

No. 141. A bill establishing a State road in the counties of Orange and Crawford;

No. 145. A bill to vacate a portion of a certain State road;

No. 151. A bill to incorporate the town of New Winchester, in Hendricks county;

No. 165. A bill to establish and legalize the name of Mary Jacoby, and for other purposes;

No. 187. A bill relative to the Borough of Vincennes;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

The Speaker laid before the House the following communication from his Excellency, the Governor:

EXECUTIVE DEPARTMENT, }  
JANUARY 31, 1851. }

*Gentlemen of the House of Representatives:*

In pursuance of a resolution of your body, I send you herewith, the original correspondence and papers on file in my office, on the subject of the Georgia Lands. This correspondence came to my knowledge and possession since the adjournment of the last session of the Legislature, as you will perceive by the communication of Mr. Collins to me, of the 4th of March, 1850.

There is on the Executive Journal, a copy of a contract between Mr. Green and Governor Dunning, dated March 5th, 1849, relative to these lands, a copy of which will be sent you by the Secretary of State. This agreement was placed on the Executive Journal during the fall of 1850. It is proper that I should state in connection with this, that the officers of State, in re-offering these lands for sale, were not only governed by the evidence herewith enclosed, but by the testimony of one of their number, (Gen. James P. Drake, Treasurer of State,) and John D. Defrees.

Yours respectfully,

JOS. A. WRIGHT.

On motion by Mr. Chapman,

House bill No. 277. A bill confirming the sale of the Georgia Lands to Martin R. Green;

Was taken from the table and placed upon the files of the House.

The Speaker laid before the House the following communication from the Secretary of State:

SECRETARY OF STATE'S OFFICE, }  
INDIANAPOLIS, January 31, 1851. }

HON. E. DUMONT,

*Speaker of the House of Representatives:*

SIR:—Please to lay the enclosed communication before the House over which you preside.

Respectfully,

CHARLES H. TEST;

*Secretary of State.*

SECRETARY OF STATE'S OFFICE, }  
INDIANAPOLIS, January 30, 1851. }

*To the Honorable House of Representatives:*

In answer to a resolution of your honorable body, requesting the Secretary of State to say "whether he has refused any more paper for the use of the members, and if so, his reasons for so doing," the undersigned would respectfully inform you that in no instance, has he refused to furnish paper either to the members of the Legislature, or the door-keeper, when called upon for that purpose. On the contrary, it has afforded the undersigned pleasure to supply every member with any reasonable quantity, either when applied to by them personally, or by the door-keeper; and it will give him equal satisfaction to comply with their future demands, in this particular, *so long as it shall remain in his power.*

It is true that the undersigned, finding the quantity of paper left in



his care was rapidly diminishing, from the frequent demands made upon him, and finding that he should not long be able to supply such requisitions, admonished the door-keeper of each branch of the General Assembly, as well as the door-keeper of the Convention of the fact, that the previous rates of supply, he would soon be without paper, and expressed this apprehension, that the proper care was not taken to prevent waste. He recommended that it might be kept in a safe place and given out so as to afford each member a reasonable supply. Not desiring to cast censure anywhere, or to discriminate between these different officers, he made the same remarks and recommendations to each, either to them personally, or to those whom they sent for paper.

In making these observations, he had no wish to withhold a proper supply of paper, either from the Legislature or the Convention, nor does he think that reasonably, any such inference could have been drawn from what he said. Individually, he had no interest in the matter, nor could it have affected him, if ten times the quantity of paper had been demanded. Yet, as a public officer, having charge of the paper at the time, he desired to guard against prodigality, or unjust discriminations in the distribution of the public stationery.

There has been applied to the Convention, and the present General Assembly, 168 reams of paper by Mr. Sheets, 70 reams by Messrs. Ross & Ray, and ten by Mr. Austin H. Brown—in all, 248 reams. Besides this amount, a considerable quantity was left over in the State Library, not used by the last Legislature, and some obtained from book stores. The whole amount will very near, if not quite, average one ream to every member, including both bodies. Of this quantity, there are but 22 reams left with which to supply the two Houses of the General Assembly and the Convention, until the close of their session.

With this statement, the undersigned leaves it with your honorable body to determine how far his apprehensions and admonitions were well grounded. During the past week, the undersigned furnished to the door-keepers of the General Assembly and the Convention, 24 reams of paper—9 to the Convention, 9 to the Senate, and 6 to the House of Representatives, and the principal part of this quantity was delivered after the conversation to which reference was before made. This matter is only mentioned as an evidence that the Secretary of State did not intend to “refuse any more paper for the use of the members,” and he takes it as pretty strong proof of the fact.

The undersigned does not know that every portion of paper so delivered, was not strictly needed, nor has he pretended to censure any one in regard to the matter. It was in fact a subject of no great importance, yet he supposed that the public stationery, amount-

ing within the last year, to near \$2000, independent of the public printing, should be justly appropriated to the objects contemplated by law.

Respectfully submitted,

CHARLES H. TEST,  
*Secretary of State.*

On motion by Mr. Chapman,

The communication was laid upon the table.

A message from the Governor, by Mr. Noel, Executive Messenger:

**MR. SPEAKER:**

I am directed by the Governor to inform the House of Representatives that he has this day approved and signed the following bills:

No. 148. An act to change the name of Mount Wallaston, in the county of White, to Norway;

No. 113. An act to repeal an act entitled "an act to amend the road law in Jefferson county;"

No. 184. An act to change the name of Shadrach Anderson to that of William Johnson;

No. 108. An act for the relief of the Recorder of Franklin county;

No. 111. An act amendatory of the acts incorporating the townships of Dearborn county so as to authorize the Board of County Commissioners of said county to establish additional election precincts, if they deem it expedient;

No. 104. An act to amend an act entitled "an act changing the mode of doing business in the county of Crawford," approved January the 18th, 1850, and for other purposes;

No. 221. An act to amend an act entitled "an act to incorporate the Ladies' Sigourney Library, at Logansport," approved December 27th, 1848;

No. 218. An act to amend an act entitled "an act to extend the term of the Probate Court of the county of Monroe, and for other purposes," approved January 21, 1850;

No. 155. An act to revise and extend the provisions of an act to incorporate the town of Anderson, approved January 17, 1849;

No. 78. A joint resolution in relation to the bounty land law of Congress, of September 28, 1850;

No. 13. An act to incorporate the Bluffton, Camden, and Winchester Plank Road Company;

No. 14. An act defining the duties of County Treasurers in the counties of Pike, Delaware, Daviess, Elkhart, Tipton, Sullivan, Noble, Washington, Marshall, Fulton, Starke, Johnson, and Randolph;

No. 95. An act authorizing the location of a state road from Hartford, in Blackford county, through New Cumberland, in Grant county, to Kokomo, in Howard county;

No. 183. An act for the relief of persons who are likely to suffer by the destruction of the Records of Sullivan county;

No. 8. An act to provide for electing supervisors by districts in the counties of Wells, Allen, Noble, Steuben, Miami, Henry, La-grange, Tipton, Clinton, Harrison, Adams, Jay, Blackford, and Morgan.

Mr. Coburn, chairman of the committee on Engrossed Bills, made the following report:

MR. SPEAKER:

The committee on Engrossed Bills have examined bills numbered 182, 186, 193, 204, 229, 236, 239, 243, 245, 247, 250, 252, 254, 260, 264, 266, 268, 269, 270, 275, 280, 284, 286, 295, 297, 298, 299, 300, 303, 305, 306, 308, 310, 311, 313, 304, and 326, and report that they are correctly engrossed.

On motion by Mr. Chapman,  
The House adjourned until 8 o'clock in the morning.

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SATURDAY MORNING, February 1, 1851.

The House met.

The Clerk proceeded to read the Journal.

Mr. Robbins moved to dispense with the further reading of the Journal,

Which motion did not prevail.

The Clerk proceeded to a further reading of the Journal.

Mr. Blue moved to dispense with a further reading,

Which motion did not prevail.

The Journal was read and adopted.

PETITIONS, MEMORIALS, &C., PRESENTED.

By Mr. Jones:

The petition of the citizens of Noble, Lagrange, and Elkhart counties, in regard to the revenue law;

Which,

On motion by Mr. Millikan,

Was referred to the committee on Benevolent and Scientific Institutions.

By Mr. Davis of Scott:

The petition of four persons in section 5, in township number 3, north of range 8 east, in the county of Jefferson, praying said territory to be attached to Scott county;

Which,

On motion by Mr. Chapman,

Was referred to a select committee, consisting of Messrs. Davis of Scott, Chapman, and Phillips.

By Mr. Blue:

The petition of citizens of Palestine, Kosciusko county, praying for the vacation of unsold lots, streets, and alleys in said town;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Blue, Stayner, and Pancake.

By Mr. Hammond:

The petition of Nancy M. Caywood;

Which,

On motion,

Was referred to the committee on the Judiciary.

By Mr. Chapman:

The petition of the citizens of St. Joseph county on the subject of temperance;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Gentry:

The petition of Samuel Moore, Joseph Lowe, and others, on the subject of a state road;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Gentry, Isom, Lawrence, and Goodwin.

By Mr. Pancake:

The petition of the citizens of Lagrange and Noble counties;

Which,

On motion by Mr. Jones,

Were referred to the committee on the Judiciary.

By Mr. Johnston;  
 The petition of the citizens of Putnam county concerning seining  
 in Deer Creek;  
 Which,  
     On motion,  
 Was referred to a select committee consisting of Messrs. John-  
 ston, McCarty, and Jordan.

#### REPORTS FROM COMMITTEES.

Mr. Watt, from the committee on Roads, made the following re-  
 port:

MR. SPEAKER:

The committee on Roads, to whom was referred Senate bill No. 113, entitled an act for the relief of persons residing within the limits of corporate towns, so far as relates to personal labor on the public highways, have had the same under consideration and have instructed me to report the same back to the House and recommend its indefinite postponement.

Which was concurred in.

Mr. Edwards, from the committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary committee, to whom was referred House bill No. 125, entitled a bill to enable persons sustaining damages occasioned by the construction of the Wabash and Erie Canal to have their damages assessed without further delay, and for the more convenient service of process on the trustees of said canal, have directed me to report the same back for the action of the House.

The bill was ordered to be engrossed.

Mr. Bradley, from the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred the petition of sundry citizens of Portland, praying the passage of an act incorporating said town, and to change the name thereof, have had the same under consideration, and have instructed me to report the same back to the House and ask to be discharged from the further consideration thereof.

Which was concurred in.

On motion,

Leave was granted Mr. Caylor to withdraw a petition from the files of the House.

On motion,

Leave was granted Mr. Williamson to withdraw a petition from the citizens of Owen and Clay counties, on the subject of a State road, from the files of the House.

Mr. Williamson, from the committee on Corporations, made the following report :

**MR. SPEAKER :**

The committee on Corporations, to whom was referred House bill No. 296, a bill to incorporate the Grapevine Marsh Plank Road Company, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

On motion,

The rule was suspended, the bill was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Donaldson, from the committee on Corporations, made the following report :

**MR. SPEAKER :**

The committee on Corporations, to whom was referred House bill No. 304, an act to incorporate the Montpelier and Metamoras Plank Road Company, have had the same under consideration, and have directed me to report the same back without amendment, and respectfully recommend its passage.

On motion,

The rule was suspended, the bill was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Bradley, chairman of the committee on Corporations, made the following report :

**MR. SPEAKER :**

The committee on Corporations, to whom was referred bill No. 261, a bill to incorporate the Kankakee Bridge Company, have had the same under consideration, and have made one amendment thereto, and have instructed me to report the same back to the House,

and upon the adoption of such amendment, to recommend its passage.

Amend the 1st section by inserting after the word "Assembly," in the 1st and 2d lines, the words "of the State of Indiana."

Which was adopted.

On motion by Mr. Harrison,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Bradley, chairman of the committee on Corporations, made the following report :

**MR. SPEAKER :**

The committee on Corporations, to whom was referred bill No. 293, "an act to incorporate the Albion and Lisbon Turnpike Company," have had the same under consideration, and have instructed me to report the same back to the House without amendment, and respectfully to recommend its passage.

The bill was ordered to be engrossed.

Mr. Bradley, chairman of the committee on Corporations, made the following report:

**MR. SPEAKER :**

The committee on Corporations, to whom was referred No. 198, "an act for the benefit of the Union Plank Road Company," and the Michigan City and South Bend Plank Road Company, in Laporte county, have had the same under consideration, and have instructed me to report the same back to the House with the following amendment, and upon the adoption of the same, respectfully to recommend its passage.

Amend by adding to the second section the following words: "and all the powers and privileges conferred upon the said Union Plank Road Company by an act entitled 'an act relative to the Union Plank Road Company,' in Laporte county, approved January 16, 1850, are hereby extended to, and conferred upon the said Michigan City and South Bend Plank Road Company."

Which was adopted.

On motion by Mr. Millikan,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Usher, from a select committee, made the following report :

**MR. SPEAKER :**

The select committee, to whom was referred the House bill No.

151, entitled an act to amend the charter of the town of Terre Haute, with instructions to amend generally, have directed me to report the following amendment, and recommend the adoption of the same and the passage of said bill:

Add before section 6 the following sections, and make section 6 section 11.

SEC. 6. In addition to the powers now possessed by the Common Council of the said town of Terre Haute, it shall be lawful for said Council to prevent any riot or noise, disturbance or disorderly assemblage in said town, and they shall have power to authorize the marshal of said town, with or without process, forthwith to seize and confine in the jail of the county of Vigo or the town prison, any person or persons engaged therein, until an examination can be had before the proper officer.

SEC. 7. The said Common Council shall also have power to prohibit the erection or continuance of Ball Alleys, Bowling Saloons, Nine or Ten Pin Alleys, and to cause the demolition and destruction of the same.

SEC. 8. The said Common Council shall also have power to license public sales by auction in said town, and public auctioneers in said town, and to prohibit the same in said town, without the party shall first have obtained license therefor: *Provided*, That nothing herein contained shall authorize said Common Council to interfere in any manner with the sales of executors and administrators.

SEC. 9. Said Common Council shall further have power to license hawkers or peddlers to vend their wares within the town, or to prohibit the same.

SEC. 10. The said Common Council shall further have power to prohibit the vending of lottery tickets and the drawing of lotteries in said town.

Which were adopted.

On motion by Mr. Usher,

The rule was suspended, and the bill read a second time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Johnston, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred Senate bill No. 170, have had the same under consideration, and have directed me to report it back without amendment and recommend its passage.

No. 170. A bill to amend an act entitled an act to incorporate the Crawfordsville and Wabash Railroad Company, approved Jan. 19, 1846, and the acts amendatory thereto.

On motion,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.



Mr. Thompson of Carroll, from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of sundry citizens of Carroll county, praying an act authorizing the Sheriff of said county to serve as constable in any of the townships therein, have had the same under consideration, and instruct me to report inexpedient to legislate thereon, and ask to be discharged from further consideration of the subject.

Which was concurred in.

Mr. Shook, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 140, "an act for the benefit of the Auditor of Ripley county," have had the same under consideration, and have directed me to report the same back with the following amendment, and recommend its passage:

Amend by adding the following section:

SEC. 2. It is hereby made the duty of the Commissioners of said county to appropriate out of the county treasury forty dollars per year, or in that proportion, to James L. Yater, former Auditor, for the time he performed the duties of said office without receiving any transfer fee.

Which was concurred in.

On motion by Mr. Dumont,  
The rule was suspended, the bill was read a third time and passed.  
Ordered that the Clerk inform the Senate thereof.

#### RESOLUTIONS.

On motion by Mr. Edwards,

*Resolved*, That the use of this Hall, to-night, is hereby granted to the friends of Gen. Winfield Scott, for the purpose of holding a meeting.

On motion,

The order of business was suspended, and  
Mr. Swihart of Wabash introduced

No. 338. A bill to incorporate the Wabash, Warsaw and Goshen Plank Road Company;

Which was read a first and second times, the rule being suspended therefor, and,

On motion,

Referred to the committee on Corporations.

On motion by Mr. Chapman,

*Resolved*, That the Door-keeper be instructed not to distribute any more numbers of the "Madison Courier" to members of this House.

On motion by Mr. Shull,

*Resolved*, That the committee on the Judiciary, to whom was referred bill of the House, No. 118, return said bill to the Clerk of this House.

On motion by Mr. Pratt,

*Resolved*, That when this House adjourns it will adjourn until Monday morning.

Mr. Hicks offered the following resolution :

*Resolved*, That the House will, the Senate concurring therein, proceed on Monday, the 3d day of February, inst., at 9½ o'clock, by joint *viva voce* vote of the two houses, to elect two Commissioners for the Indiana Hospital for the Insane.

On motion by Mr. Chapman,

The resolution was laid on the table.

Mr. Chapman, chairman of the committee on the Judiciary, returned bill No. 118 to the House, in accordance with a resolution of the House to that effect.

#### BILLS INTRODUCED.

By Mr. Hamilton ;

No. 339. A bill regulating the license of traveling peddlers in the county of Jackson ;

Which was read three several times, the rule being suspended therefor and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Cowan ;

No. 340. A bill to change the time of holding the Probate Courts in the county of Jasper ;

Which was read a first time and passed to a second reading.

By Mr. Pratt;

No. 341. A bill to provide for the support of infant children in cases therein named;

Which was read a first time.

On motion,

The rule was suspended, the bill read a second time and referred to the committee on the Judiciary.

By Mr. McClelland;

No. 342. A bill amendatory to an act entitled an act to increase and extend the benefits of common schools, approved January 17, 1849;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Thorn;

Eo. 343. A bill to amend the several acts now in force in relation to widows;

By Mr. Bradley;

No. 344. A bill to authorize the Treasurer of Laporte county to charge a per centage on road tax receipts;

Which were each read a first time and passed to a second reading.

By Mr. Hammond;

No. 345. A bill defining the duties of the Treasurer of Morgan county;

Which was read a first and second times, the rule being suspended therefor,

On motion by Mr. Humphreys,

The county of Greene was added to the bill.

On motion by Mr. Hammond,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The title of the bill was amended by adding after the word "Morgan," "Greene."

By Mr. Swihart of Wabash;

No. 346. A bill to authorize the Commissioners of Wabash county to sell the Surplus Revenue bank stock of said county;

Which was read a first time,

On motion,

The rule was suspended, and the bill read a second time and referred to the committee on the Judiciary.

By Mr. Donaldson;

No. 347. A bill to authorize the draining of wet lands in Miami county;

Which was read a first time,

On motion,

The rule was suspended, and the bill read a second time and referred to the committee on Corporations.

Mr. Franklin moved to take up House bill No. 289, a bill to apportion the Senators and Representatives amongst the several counties from the table.

Which motion prevailed.

Mr. Hicks moved to recommit the bill to the Apportionment committee.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Blue, Bradley, Caylor, Conner, Davis of Scott, Edwards, Gentry, Hammond, Hicks, Hubbard, Jackson, Johnston, Jones, Jordan, Lank, Marshall, McCarty, McClelland, Painter, Pancake, Shull, Stayner, Swihart of Huntington, Usher, Watson, Wilson, and Mr. Speaker—28.

*Those who voted in the negative were,*

Messrs. Bird, Brown of Pike, Bulla, Carr, Chapman, Clark, Cowan, Cox, Crawford, Crim, Davis of Dubois, Donaldson, Elkins, Essex, Fleece, Franklin, Goodman, Goodwin, Graff, Hall, Hamilton, Harris, Harrison, Haywood, Hosbrook, Humphreys, Isom, Lawrence, Lewis, Lindsey, Marvin, McKim, McMakin, Mercer, Millikan, Moore, Morgan, Morrow, Nelson, Patterson of Marshall, Peckenaugh, Phillips, Pratt, Reynolds, Riley, Robbins, Ross, Shook, Simler, Stone, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Thorn, Watt, Watts, Willard, Williamson, Withers, and Wittenmeyer—59.

So the bill was not recommitted.

On motion by Mr. Franklin,

The bill was made the special order for Monday next at 9 o'clock, A. M.

Mr. Hicks asked leave to be discharged from further duty on the Apportionment Committee;

Which was granted.

On motion by Mr. Williamson,

The vote on the indefinite postponement of House bill No. 257, a bill to amend the charter of the Central Plank Road Company; Was reconsidered.

The question being on the indefinite postponement of the bill; Was decided in the negative.

On motion by Mr. McCarty,

The bill was referred to a select committee consisting of Messrs. McCarty, Coburn, Fleece, and Caylor.

By Mr. Lank;

No. 348. A bill authorizing mileage to witnesses in civil cases;

Which was read a first time and passed to a second reading.

By Mr. Shook;

No. 349. A bill to extend the provisions of an act therein named to the county of Ripley;

Which was read a first, second, and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Donaldson;

No. 350. A bill to amend an act entitled an act to incorporate the town of Peru, approved January 14, 1848;

Which was read a first time,

On motion.

The rule was suspended, the bill read a second time and referred to the committee on Corporations.

#### ORDERS OF THE DAY.

A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House, with sundry amendments:

An act to amend the charter of the Evansville and Illinois Railroad Company.

In which amendments the concurrence of the House is respectfully requested.

On motion by Mr. Franklin,

The amendments of the Senate were concurred in with the following amendment:

In the 8th section, after the words, "the Martinsville and Franklin Railroad Company," add the following:

Or any Company connecting with the said Evansville and Illinois Railroad Company on the North.

Ordered that the Clerk inform the Senate thereof.

Message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof:

No. 126. An act to amend an act entitled an act to incorporate the Rushville and Muncietown Railroad Company, approved January 21, 1850;

No. 161. An act to provide for the incorporation of subordinate Lodges of the Independent Order of Odd Fellows;

No. 212. An act for the relief of David Nevett, of Dearborn county;

No. 213. An act to change the name of Ann Abel, of Martin county, to Ann Henderson;

No. 215. An act to incorporate the Danville and Claysville Plank Road Company;

In which the concurrence of the House is respectfully requested.

Nos. 126, 261, and 212, contained in the foregoing message, were severally read a first time and passed to a second reading.

No. 213 was read a first time.

On motion,

The rule was suspended and the bill read a second and third times and passed.

Ordered that the Clerk inform the Senate thereof.

No. 215 was read a first time and passed to a second reading.

#### HOUSE BILLS ON SECOND READING.

No. 287. A bill to locate a state road from Bennettsville, in Clark county, to Salem, in Washington county,

Was read a second time and ordered to be engrossed.

No. 288. A bill to locate a state road in the counties of Montgomery and Tippecanoe,

Was read a second time.

On motion by Mr. McMakin,

The rule was suspended, and the bill read a third time, and passed.

Ordered that the Clerk inform the Senate thereof.

No. 290. A bill to locate a state road from Pleasant Grove, in Fulton county, by the way of the Fulton steam mill, to Perrysburg, in Miami county,

Was read a second time,

On motion by Mr. Pratt,

The rule was suspended and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 294. A bill to repeal an act therein named;

No. 301. A bill to authorize the construction of a mill dam across the Tippecanoe river, in White county;

No. 309. A bill to fix the compensation of Clerks in the circuit court in cases of naturalization in the 12th judicial circuit;

No. 304. A bill to incorporate the Montpelier and Matamoras Plank Road Company;

No. 314. A bill to change the time of holding circuit courts in the 3d and 13th judicial circuits;

No. 316. A bill to authorize the superintendents of common schools to establish and distribute the school law of '49;

Were severally read a second time and ordered to be engrossed.

No. 318. A bill amending the criminal law of this State, and declaring the same,

Was read a second time,

On motion by Mr. Chapman,

The bill was referred to the committee on the Judiciary.

No. 319. A bill to incorporate the Charlestown and Brownstown Plank Road Company,

Was read a second time.

On motion by Mr. Hamilton,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 322. A bill for the benefit of the defenders of their country, exempting two hundred dollars' worth of property from taxation,

Was read a second time, and,

On motion by Mr. Chapman,

Referred to the committee on Ways and Means.

No. 325. A joint resolution in relation to western interests,

Was read a second time.

On motion,

The rule was suspended and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

#### SENATE BILLS ON SECOND READING.

No. 155. A bill to amend an act entitled an act to incorporate the Wayne County Turnpike Company, approved December 5th, 1848,

Was read a second time and ordered to a third reading.

No. 144. A bill to amend an act entitled "an act to incorporate the Connersville and Brownsville Turnpike Company," approved 16th January, 1849;

No. 193. A bill to fix a tax on a Museum in Lafayette:

No. 195. A bill in relation to streets and alleys in the town of Lexington, in Scott county;

No. 175. A bill to amend an act entitled "an act to incorporate the Lafayette Plank Road Company," approved January 3d, 1849;

No. 178. A bill to prevent the consolidation of indictments in certain cases in Dearborn county;

No. 75. A bill to amend an act entitled "an act to incorporate the Bedford Insurance Company," approved February 8, 1836;

No. 53. A bill to amend sections 54 and 55, article 5, of the Revised Statutes of 1843, so far as relates to the county of Miami;

No. 191. A bill to amend an act entitled "an act to incorporate the town of Clinton, in Vermillion county," approved February 14, 1848;

Were severally read a second time, and ordered to a third reading.

On motion by Mr. Edwards,

The vote on the indefinite postponement of

No. 76. A bill to vacate an alley in the town of Bloomington,  
Was reconsidered.

The question being on the indefinite postponement of the bill,  
Was decided in the negative.

On motion by Mr. Gentry,

The rule was suspended, the bill was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 153. A bill to incorporate the Evansville Hotel Company.

No. 123. A bill to incorporate the New Trenton and Southgate Bridge and Road Company.

No. 137. A bill to relocate a State road in DeKalb county;

Were severally read a second time and passed to a third reading.

No. 120. A bill to incorporate the Commercial Railroad Company;

Was read a second time and,

On motion by Mr. Chapman,

Was referred to the committee on Corporations.

No. 186. A joint resolution in relation to the World's Fair;

Was read a second time and ordered to a third reading.

No. 182. A bill to organize a Court of Common Pleas in the county of Jefferson;

Was read a second time.

On motion,

The bill was referred to the committee on the Judiciary.

No. 184. A bill to incorporate the Belleville Branch Railroad Company;

Was read a second time.

On motion by Mr. Willard,

The bill was referred to the committee on Corporations.

No. 177. A bill authorizing the Western Plank Road Company to issue and sell bonds.

No. 76. A bill to amend the charter of the Madison Insurance Company.

No. 176. A bill declaring certain laws in force in the counties of DeKalb, Noble, and Steuben;

Were severally read a second time and ordered to a third reading.

No. 179. A bill in relation to a certain road and street therein named;

Was read a second time.

On motion by Mr. Conner,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.



No. 183. A bill declaring a part of Poison creek, in Perry county, a public highway.

No. 124. A bill to amend an act to incorporate the Brookville and Connersville Turnpike Company.

No. 194. A bill legalizing an order for the publication of the delinquent list for the year 1850, in DeKalb county.

No. 119. A bill to incorporate the Goshen and Plymouth Plank Road Company;

Were severally read a second time and ordered to a third reading.

No. 112. A bill in relation to the commission and punishment of crime;

Was read a second time.

On motion by Mr. Watts,

The bill was referred to the committee on the Judiciary.

#### HOUSE BILLS ON THIRD READING.

No. 141. A bill to amend an act to incorporate the Logansport and Rochester Michigan Road Company, approved January 15, 1846.

No. 187. A bill to enable the citizens of Orange township, Fayette county, to elect an additional Justice of the Peace, so as to reside in the south part of said township;

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 219. A bill to incorporate the Rising Sun Hotel Company;

Was read a third time.

On motion by Mr. Armstrong,

The bill was laid on the table.

No. 228. A bill providing for the annexation of Lamasco to Evansville;

Was read a third time.

On motion by Mr. Graff,

The bill was informally passed over for the present.

No. 292. A bill to regulate the mode of proceeding in suits against the White Water Valley Canal Company for failing to build, repair, and keep up bridges at such places across said canal as said canal crosses any State or county road, or street of a town.

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

#### SENATE BILLS ON THIRD READING.

No. 19. A bill to amend an act entitled an act to increase and extend the benefits of common schools, approved January 17, 1849;

No. 56. A bill to locate a State road on the line dividing Wayne and Randolph counties;

No. 68. A bill legalizing a certain deed of conveyance heretofore made and executed by the County Auditor of Perry county to William Elder;

No. 83. A bill to incorporate the Covington and Danville Plank Road Company;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 103. A bill to authorize the Governor, Auditor and Treasurer of State to borrow money to pay the interest due on the funded debt on the first day of July next, and defray the expenses of the Constitutional Convention;

Was read a third time.

The question being, Shall the bill pass?

Messrs. Chapman and Marvin demanded the ayes and noes.

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Bulla, Carr, Clark, Coburn, Cowan, Cox, Crawford, Davis of Dubois, Davis of Scott, Donaldson, Elkins, Essex, Goodman, Graff, Hall, Hamilton, Harris, Harrison, Hicks, Hosbrook, Hubbard, Isom, Jackson, Jordan, Lank, Lawrence, Lindsey, Marshall, McKim, Morgan, Pancake, Patterson of Marshall, Peckenpaugh, Riley, Ross, Shull, Simler, Stayner, Stone, Thompson of Carroll, Thompson of Delaware, Thorn, Watts, Willard, Withers, Wittenmeyer, and Mr. Speaker—52.

*Those who voted in the negative were,*

Messrs. Brown of Pike, Caylor, Chapman, Crim, Edwards, Fleece, Franklin, Gentry, Goodwin, Hammond, Haywood, Humphreys, Johnston, Marvin, McCarty, McClelland, McMakin, Mercer, Moore, Morrow, Nelson, Painter, Phillips, Pratt, Reynolds, Robbins, Shook, Swihart of Huntington, Swihart of Wabash, Usher, Watson, Watt, Williamson, and Wilson—34.

So the bill passed.

Ordered that the Clerk inform the Senate thereof.

#### HOUSE BILLS ON SECOND READING.

No. 278. A bill for the relief of the Terre Haute and Richmond Railroad Company, and the Indiana Central Railway Company;

Was read a second time, and,

On motion by Mr. Chapman,

Referred to the committee on Corporations.

No 277. A bill confirming the sale of the "Georgia Lands" to Martin R. Green ;

Was read a second time.

Mr. Watts moved to refer the bill to a select committee.

Which motion did not prevail.

Mr. Jackson, from the committee on Engrossed Bills made the following report:

MR. SPEAKER :

The committee on Engrossed Bills have compared the following and find the same correctly engrossed:

Nos. 190, 253, 241, 259, 258, 265, 267, 272, 274, 276, 279, 271, 281, 282, 283, 285, 315, 317, 331, 332, 307, 228, 219, 292, and 141.

Mr. Shook, chairman of the committee on Enrolled Bills, made the following report:

MR. SPEAKER :

The committee on Enrolled Bills have examined the following, and find them correctly enrolled:

No. 61. An act to amend an act entitled an act relative to the leveeing the Wabash river on Shaker prairie, approved January 14, 1846, and to repeal an act amendatory thereto, approved January 21, 1850.

No. 140. An act to legalize certain acts of the Henry county Turnpike Company, and for other purposes.

No. 159. An act for the relief of George Coit.

No. 175. An act authorizing John Heiney to build a milldam across the Salamoniam river.

No. 206. An act to incorporate the town of Hope, in Bartholomew county.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Gentry, from the committee on Enrolled Bills, made the following report:

MR. SPEAKER :

The committee on enrolled Bills have compared the following enrolled bills with the engrossed bills of the House, and find the same correctly enrolled, to-wit:

Bills Nos. 164, 132, 248, 127, 170, and 195.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House, without amendment:

No. 31. An act relative to the Laporte and Plymouth Plank Road Company.

No. 139. An act to locate a State road in the counties of Hamilton, Tipton and Howard.

No. 161. An act authorizing the sale of section 16, in Congressional township 24, north of range 12 east, in Jay and Blackford counties.

No. 162. An act in relation to the South Bend and Plymouth Plank Road Company.

On motion by Mr. Phillips,  
The House adjourned.

MONDAY MORNING, February 3, 1851.

The House met.

The journal of the preceding day was partly read, when,

On motion by Mr. Conner,

The further reading of the Journal was dispensed with.

On motion by Mr. Conner,

The special order of the day, bill

No. 289. A bill to apportion the Senators and Representatives amongst the several counties,

Was taken up.

On motion by Mr. Davis of Scott,

A call of the House was ordered.

On motion by Mr. Peckenpaugh,

Leave of absence was granted Mr. Schwartz, on account of sickness.

Messrs. Walls and Marvin were each granted leave of absence on account of sickness.

On motion by Mr. Watts,

A further call of the House was dispensed with.

On motion by Mr. Hicks,

The order of business was suspended.

The Speaker laid before the House the following address, from the Mutes of the Deaf and Dumb Asylum of the State of Indiana :

*To the Hon. Members of the Legislature of Indiana:*

It is with feelings of the greatest pleasure that we again present ourselves before the Legislature of our State, to give utterance to our gratitude for their continued kindness toward us; though we feel that words are inadequate to express the emotions that swell our hearts, when we contemplate the blessings which surround us; blessings which, under God, we owe to you.

Before the rays of knowledge illuminated our minds, we pursued a silent way, solitary pilgrims on life's desert waste, aliens from our race, joyless and alone.

But now, how changed the scene! brought here by the hand of friendship and benevolence, have found companions to whom we are bound by the ties of a common affliction, and in whose society we enjoy the pleasures of friendly communion, and the happiness of social life. Here we have also found those who devote all their talents to our benefit; who have, in their generous labors, bestowed upon us as it were, a new existence; their cheering words have encouraged our trembling steps to tread the paths of wisdom, imparting to us knowledge that elevate man to be but a little lower than the angels, and a language in which to express thoughts, feelings, and desires which would otherwise have been unknown and unrevealed. To every teacher in the Institution we feel we owe a debt of the warmest gratitude, for benefits more valuable than all the riches of earth could repay. Since we last came before you, we have been called upon to rejoice in the possession of a home, erected for us by the liberality of the people and the Legislature of this State, which, in the beauty of its exterior and comfort of its accommodations, far exceeds our utmost expectations.

These blessings have filled our hearts with joy, and we now appear before you a happy throng—chastened, but not cast down, afflicted, but not forsaken. And when in the course of years, we shall leave these pleasing scenes, when, bidding farewell to teachers and friends, we go forth to encounter the trials and duties of life, the benefits we have received will ever be remembered with the warmest gratitude, and the instructions of our teachers will remain to guide us through this world and all its sorrows.

In view of these things, we feel that, in founding and sustaining the institutions of benevolence, no State in the Union surpasses Indiana; for here the world witnessed for the first time, a government levying a tax on the people, not to support the pride and pomp of royalty, not to send forth hosts of armed men to lay the fair earth desolate; but to raise the feeble from the dust, to pour the light of

knowledge on the darkened mind, and cheer and bless the troubled spirit. It is in Indiana alone that we see the rich and the poor meet together to share alike, without money and without price, in the unspeakable blessings of education. In the number of those whom her noble beneficence has aided, Indiana also stands pre-eminent. In this Institution there are 136 pupils, being more, in proportion to the population, than are supported by any other State.

And, in conclusion, permit us to say that when the hour shall come which summons the spirit to an unseen world, the thought may fall like balm upon the soul, that in the hour of strength and power, ye had not forgotten the children of sorrow, that the one talent had increased to ten, and happiness descended to many a heart, that else had remained desolate and forsaken. Such thoughts as these will impart joy, when all earth's pleasures have passed away. And in that happier world, where the fetters that bind us here shall be burst asunder, where, in songs of praise, no lip shall be mute, no voice shall be silent, your joy shall be full when ye meet those whom on earth you have aided, freed from all sorrow rejoicing forever in the presence of God.

#### *Names.*

MARY ST. C. BELCHES,  
MARY E. ORCHARD,  
CYRUS McCARTER,  
EDWIN N. BOWES,  
ORLANDO OSGOOD,  
HENRY WILSON,  
ALBERT UNDERWOOD,  
FRANCIS A. CRUMPTON,  
JAMES S. LATTIN,  
JOSEPH FELLERS,  
JOHN G. WICKERSHAM,  
LAFAYETTE BROWN,  
JOHN J. MEDEARIS,  
DAVID KISER,  
CALVIN W. WALL,  
JAMES M. LOYD,  
GIDEON KEPNER,  
JOSEPH SURBER,  
THOMAS J. COMPTON,  
ROBERT F. HOPKINS,  
ELIAS UNDERWOOD,  
BENAJAH NARDYKE,  
RICHARD H. HATTON,  
WILLIAM W. WARD,  
TIMOTHY SIMMONS,  
ABRAM WININGS,  
NORMAN LEAP,  
ALLEN W. MEHARY,  
ANDREW KEPNER,  
JAMES McFARLAND,  
MICHAEL SWARTZ,  
WILLIAM WAY,  
ELEAZER BARKER,  
AMOS HADLEY,  
JOHN H. STULTZ,  
ASHER TANNER,  
JOSEPH MILLER,

#### *Counties.*

Jefferson.  
Monroe.  
Rush.  
Laporte.  
Dearborn.  
Tippecanoe.  
Johnson.  
Fountain.  
Floyd.  
Carroll.  
Tippecanoe.  
Rush.  
Wayne.  
Tippecanoe.  
Tippecanoe.  
Orange.  
Fountain.  
Marion.  
Elkhart.  
Vigo.  
Johnson.  
White.  
Hamilton.  
Union.  
Jennings.  
Ohio.  
Switzerland.  
Montgomery.  
Fountain.  
Miami.  
Floyd.  
Orange.  
Decatur.  
Morgan.  
Hamilton.  
DeKalb.  
Laporte.

| <i>Names.</i>         | <i>Counties.</i> |
|-----------------------|------------------|
| LUTHER F. WALL,       | Tippecanoe.      |
| JOHN H. GOODWIN,      | Rush.            |
| JAMES GOODWIN,        | Rush.            |
| JOHN D. COLLINS,      | Shelby.          |
| JAMES SEBRING,        | Allen.           |
| JOHN W. SENIOR,       | Jefferson.       |
| JOHN R. MOORE,        | Montgomery.      |
| JOHN H. LAWSON,       | Decatur.         |
| WILLIAM WOLFE,        | Franklin.        |
| EMANUEL STULTZ,       | Hamilton.        |
| CLINTON SHIMER,       | Randolph.        |
| HENRY M. TIFFANY,     | Montgomery.      |
| HENRY MILLSAPPS,      | Lawrence.        |
| PETER N. NICOLES,     | Miami.           |
| B. GOODWIN,           | Owen.            |
| ELISHA L. GRAHAM,     | Shelby.          |
| C. GOODWIN,           | Rush.            |
| ELLEN MILLER,         | Gibson.          |
| SARAH SHIMER,         | Randolph.        |
| PRIALLA R. McLEAN,    | Fountain.        |
| CYNTHA J. VORIS,      | Switzerland      |
| REBECCA HARTMAN,      | Boone.           |
| MARY E. VEST,         | Floyd.           |
| SUSANNAH HADLEY,      | Morgan.          |
| MARY ANN OWENS,       | Switzerland.     |
| MARY J. MADDOX,       | Montgomery.      |
| ELIZABETH HATTON,     | Hamilton.        |
| MARY JANE HATTON,     | Hamilton.        |
| MARGARET E. HOLDEN,   | Dearborn.        |
| MARY JANE BARKER,     | Decatur.         |
| RACHEL DAY,           | DeKalb.          |
| COMFORT JANE FULTON,  | Orange.          |
| ELIZABETH VANDERPOOL, | Monroe.          |
| MARY ANN DAYWALT,     | Huntington.      |
| LOUISA W. OSBORN,     | Marion.          |
| ELIZABETH LIECHNER,   | Dearborn.        |
| MARY E. GRIMES,       | Vanderburgh.     |
| MARY DINSMORE,        | Monroe.          |
| ELLEN BUCHANAN,       | Switzerland.     |
| CATHARINE DEBOY,      | Wayne.           |
| RUTH POOL,            | Clinton.         |
| MARGARET OWENS,       | Switzerland.     |
| ANN ELIZABETH McCOY,  | Decatur.         |
| EMELINE E. HULL,      | Vermillion.      |
| LYDIA CARPER,         | Marion.          |
| ELIZABETH DEBOY,      | Wayne.           |
| MARY E. ARNETT,       | Montgomery.      |
| MARY GOODWIN,         | Owen.            |
| ROSETTA MESSLER,      | Elkhart.         |
| MARY J. ELLIS,        | Hendricks.       |
| ELIZA J. FORD,        | Decatur.         |
| LUCINDA MICHAEL,      | Clinton.         |
| MARY A. EDMISTER,     | Jennings.        |
| AUSTIN W. MANN,       | Henry.           |

The address was read by the Clerk,

After which the Speaker delivered the following address :

## ADDRESS.

*Gentlemen of the House of Representatives :*

I have the honor to lay before you, the Address of the Pupils of the Asylum for the Deaf and Dumb. The Address was presented at the close of an exhibition of the Scholars, by Miss MARGARET E. HOLDEN, an interesting and accomplished young Lady, with the request that I should lay it before you. It is signed by ninety-one of the Students, and was written by Miss MARY ST. C. BELCHES, whose name heads the list.

The exhibition preceding the presentation of the Address, was one of thrilling interest. The scholars were examined in those branches of education taught in this school,—being all the useful and substantial branches of an English education, such as Arithmetic, Geography, History, &c. They showed a proficiency to tax the credulity of any man, not an eye witness to the fact. Deprived of the use of ear and speech, the quickness of their other perceptions seemed almost to atone for these misfortunes. It has been said that words were made to conceal ideas;—whether this be true or not, certain it is that thoughts, impulses and emotions were conveyed by these Mutes, as clearly, distinctly and unmistakeably as they could have been by the most eloquent tongue—thoughts, too, involving propositions of the most complex character—poetic fancies and mischievous conceits. The exhibition was one to inspire mingled emotions of joy and grief;—grief for the misfortunes of a stricken group—grief for those on whom we have been taught to look, as children of sorrow and outcasts from the world; and joy, that our State has been successful in bringing forward and developing a flower that seemed to have been born “to blush unseen”—that she has been successful in depriving a calamity of its bitterest pangs,—giving cheerfulness for sorrow;—for gloom giving gladness: and strewing with pleasures, that which has hitherto been a cheerless pathway. Bad, indeed, must be the man that could do less than rejoice at the success of these philanthropic efforts;—efforts that have plucked the thorn from the bleeding heart;—efforts that have caused the rose to bloom on the blanched and pallid cheek;—efforts that have lessened the parents’ agony assuaged the sister’s pangs and dispelled the brother’s gloom. Who will doubt that there is a rich harvest stored up in the garner of grateful hearts for those engaged in a service fraught with such results?

Man is said to be God’s noblest work; and it follows as a necessary result, that creations of art and works of genius, sink into nothing when compared to improvements in man’s physical and intellectual machinery. To speak after the manner of men, many a son of



genius has won a deathless name, by giving the human form to marble, and delineating it upon canvass, though impelled to action by no motive other than pelf or unchastened ambition. Though the philanthropist seldom wins the patronage of kings or the homage of men, still as he is actuated by purer motives, I would prefer his humble name and his reward; for he who shall dry up the tear of affliction, who shall allay the pangs of misfortune, who shall transform a calamity into a blessing, who shall make life cheerful and soften death's pillow, shall rear a monument in the hearts of the good more enduring than marble, and shall finally reap a reward worth all the gold of Ophir. Time gnaws down the statues and monuments of earth; her honors, like shadows, are evanescent; but the works of the good are eternal. The good man's life is a life of peace, and when called upon to surrender it up, he can do it as trustingly, and confidingly, as an infant can repose on the bosom of its mother. Happy is he whose sympathies encircle his fellow men; but miserable is he whose sympathies are pent up and confined within the narrow limits of self. Happy is he who weeps for others' woes; but miserable and wretched, indeed, is he who has no heart for pity, and no eye for tears. "Cast thy bread upon the waters," is a heavenly mandate; and to devote one's life to the service of others, is to obey it. He who lives to do good to others casts his bread upon the waters, and "shall find it after many days." Flowers shall be strown in his pathway, and blessings shall cluster around him.

"The quality of mercy is not strained,  
It droppeth as the gentle rains from heaven,  
Upon the place beneath; it is twice bless'd,  
It blesseth him that gives, and him that takes;  
'Tis mightiest in the mightiest; it becomes  
The throned monarch better than his crown;  
It is enthroned in the hearts of kings;  
It is an attribute to God himself,  
And earthly power doth shew itself the most like God's,  
When mercy seasons justice."

I heard, have read, and now present this interesting address, with the liveliest emotions of pleasure. It is couched in language chaste and beautiful, and breathes sentiments calculated to touch the tenderest chord. It is an emanation from gratified hearts; and what is gratitude but a flower expanding to a vernal sun, a bud opening to the gentle shower, a breeze that has played with the rose, the pink, and the violet, and stolen their perfume? Without the use of metaphor for further illustration, it is the disposition to be just, the willingness to render "value received," for benefits conferred. It belongs to the honest man; it is a redeeming quality worthy of being cherished wherever found. Those who are strangers to its influences are sunk in the deepest pit of moral depravity. We must, however, be careful that the sentiment is not a servile one; for, then, its tendency is to degrade and not to elevate. It should

partake of that feeling which the child manifests for a kind and indulgent parent.

A fund has been raised in Indiana for the support of this Institution. The people pay the tax most promptly and cheerfully. No one has been found so destitute of principle as to murmur. The Governor of the State, and the Judges, rest under just as deep an obligation as those receiving an education at this Institution; for the labor of the latter is as great as that of the former, and the expenses of all are borne by taxing the people; and as taxes fall equally upon all, the parents of these children are not exempt. It is a perpetual fund, and no parent knows but that in time he may reap its immediate benefits in the person of his own child. It is a sinking fund, sinking misfortune, and elevating happiness, and its benefits are free and open to all. Those who now reap them will soon "wheel into the line" in the accomplishment of man's destiny; and entering upon life's stern realities, will in turn contribute to its support. They stand, then, I contend, upon the same footing with the proudest of the land; their condition is not one of dependence, in a sense to mortify, for what institution is there in the land whose endowment cannot be traced to National, State, or individual benevolence? Have not the proudest defenders of our country—the magnates of the land—been educated in an institution founded and sustained by the Nation? Are we not indebted to national liberality for the fund that now sustains our State University? What is our common school fund but a magnificent bequest, the benefits of which the rich and the poor are willing to embrace? There is nothing to mortify the pride or dampen the ardor, but every thing to cheer and encourage. Their institution rests upon a firm and enduring basis; their teachers have proven themselves abundantly worthy; they have performed labor and displayed a solicitude equalled only by the success with which those labors have been crowned. These young men and young ladies will soon quit those peaceful haunts and enter the busy throng. They will take a position in society corresponding with their moral worth and intellectual culture. To the time spent in this Institution they will recur with pleasure in their riper years. It was the opening to them of a sealed book. Here it was that the store houses of knowledge were unlocked, and the cheering hopes of religion revealed. Here it was that they were first admitted into the full communion of their fellow men, and taught the eventful story of the past. Here it was that doors were opened, that would otherwise have remained forever closed. For these things they owe a debt of gratitude which time will never efface. That debt is due to the superintendent and teachers, whose solicitude and toil have wrought such happy results. That gratitude is expressed in the address which I now present, so far as words can express such an obligation. That those who control this Institution are equal to its responsibilities and worthy of the confidence of the people, the improvements of which I have spoken abundantly demonstrate. No-

thing but rare qualifications and infinite pains could produce such fruit. Let us the representatives of the people aid them in cherishing and sustaining so interesting, so commendable, so praiseworthy an enterprise. All that we shall do for such an Institution as this within the bounds of reason, will, I know, meet the approbation of our constituents.

It is the pride and glory of our happy land that she has never yet turned a deaf ear to the calls of humanity; that she has never yet refused to put forth her arm of strength in behalf of the down-trodden, the oppressed, and the unfortunate, that by her the arts and sciences have been fostered; she has been foremost in all enterprises of benevolence; she has educated and given intelligence to the masses, and vindicated triumphantly the liberty of the press. The liberty of the press! That is a word that ought not to be lightly spoken. It is a word, when understood, of potent meaning; for, prostituted and subsidized as it sometimes is, (and God has made no good thing that cannot be made an instrument of harm) the press has been a messenger of glad tidings, bearing light and truth to the inhabitants of all lands, civilizing and christianizing earth's darkest corners. Intelligent, free, and uncorrupted, it is a friend to freedom, a scourge to tyrants, the palladium of liberty, and the bulwark of truth. While the press is left free, error of opinion may be tolerated, for it will be speedily vanquished by the triumph of sound principles. The influence of the press upon this broad land is not seen at a glance. It is best seen by those whose vision is the most comprehensive. The dews of heaven fall upon the earth unseen and unfelt, still they cover the earth with verdure, the fields with fragrance and beauty, make the woods redolent with music, replenish the sparkling fountain, the murmuring brook, and the rushing river, and impart to all nature freshness and vigor.

The newspaper press is, in my opinion, doing good service in the country. It accommodates itself to every condition of life, and places the elements of knowledge within the reach of every citizen of the republic; for, like the wind, there is no spot to which it cannot travel. It reaches the humble cabin in the wilderness. We find it in the seminary of learning, in the halls of legislation, in the consecrated sanctuary, in the savage's wigwam, and the soldier's tent, in the palace, and in the prison. At home and abroad, upon the ocean and upon the land; it confers its benefits upon the rich and the poor, the bond and the free. Of the printing press it has been fancifully said—

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“that if a star  
Were stricken from the dome of night,  
A printing press, if stationed there,  
Would fill the vacuum to a hair,  
And shed a broader light.”

None have derived greater benefits from the press, especially the Newspaper press, than that unfortunate class of whom I speak. I care not what a man's intellect may be, it must have food upon which to feed, even to enable him to commune with himself. There must be a basis for thought, if not, the world is, to man, a dreary, joyless prison house, and death a welcome messenger.

By the aid of science, the tongue of the Mute has been loosened, and his ear unstopped. He has been taught to read, and that is now to him a perennial blessing, a pure fountain of joy, welling up its sparkling waters to gladden his journey through life. It enables him to commune with the past and the present, and to look forward to the cheering hopes of the future. This group who have signed and presented this Address, seem a joyous family of children gathered around the parental threshold. We look upon them and behold brilliant eyes and happy faces; for science has discovered a way to make the crushed heart glad, and the dim eye to sparkle. The parents of these Mutes may rejoice in their distant homes. The tear of grief may be dried up; for that God that touched Isaiah's hallowed lips with fire,—that God that holds the destiny of man in the hollow of his hand,—that God that marketh the sparrow's fall, hath watched over your children, and hath tempered the winds to the shorn lamb. You parted with your beloved offspring with a bleeding heart, but joyous, indeed, will be the greeting on their return. The child of misfortune shall be a solace to your declining years, and ultimately an honored and useful member of society.

Barbarism displays itself in an utter disregard of the rights of women, in crushing her under the weight of heavy burdens, in putting to death infants that do not promise to be vigorous, and generally, in contemning the calls of humanity. The reverse of all this follows in the wake of Christianity and civilization. These cruelties are unknown in this country, where the mass of the people are intelligent and virtuous. Woman is respected, and in her sphere becomes a peerless queen, where the benign precepts of religion prevail. Her offspring, though weak, feeble, deaf, blind, or deformed, is neither put to death, nor suffered to perish from cold, from hunger, or in the burning sun. All of which only prove that which has been written a thousand years or less, that as virtue advances vice recedes. There are plants that flourish only under the protecting hand of the philanthropist, and when watered by his tears. They grow best in Christian soil. They flourish in the soil of Indiana; and I cannot refrain, upon the present occasion, from saying: honor to Indiana, and honor to her people! for she has proved her devotion to humanity's cause. No State in the Union has so flourishing a school for the deaf and dumb; no school in the land so substantial a basis. It is now as steadfast as a rock; for it rests upon the broad, firm basis of the constitution. Indiana's philanthropy, thank God! is in the hearts of her people. It is evidenced now by her organic law. It is not to be wondered that application for admission into this In-

stitution come now from abroad; nor is the rapid growth of our State generally a matter of surprise. Multitudes are flocking to our borders, it is true, for ours is a peaceful, fruitful, happy land.

The Roman matron, when asked for her jewels, pointed to her children;—an American mother would emulate her example and do the same. In such a country as ours, a parent should look upon his children as unspeakable blessings—as treasures committed to his keeping—as sweet and tender plants confided to his charge for culture and perfection; but he should never, no, never forget that they also belong to God; that He holds a lien upon them as hostages for the faith, the fealty, the fidelity, “the good behavior” of the parent.

To err is human, and a childless man may be forgiven for a departure from the path of rectitude; but the parent who tarnishes the reputation of his own offspring, by being false to himself, forfeits his recognizance to society, proves himself unfaithful to his sacred trust, perfidious to nature, a defalter to God and country.

In conclusion, I will say, (and thereby subject myself to the charge of having but one idea, for I have said it before,) that truth is at the foundation of all that is good. It is the basis of every moral virtue, and that element alone, in the character of any man, is worth all the false accomplishments of earth. It is a quality worthy of being idolized, and worthy of being sought. Inquiry after truth is a pleasing task, a delightful employment; for the reward is always worthy of the labor. It is a thing of which a man should never be ashamed, wherever found. To a young man starting in the world, better advice could not be given than this: “Be true, and seek after truth.”

“This, above all, to thy own self be true;  
And then it follows, as the night the day,  
Thou canst not well be false to any man.”

Thus spoke the poet and philosopher. The following is equally appropriate, and equally beautiful:

“Embrace the truth, wherever found,  
On heathen or on Christian ground;  
Among your friends, among your foes,  
The plant's divine, wher'er it grows.”

I am but a poor adviser, for my whole life has been spent in regretting to-day the errors of yesterday. I speak, therefore, with trembling lips and faltering tongue. I hope those to whom shall be communicated what I have said, in response to their address, will believe me when I say that I have spoken sincerely. I have said some things because I would impress upon the young and unsuspecting, upon the pure and the spotless, (who, in buffeting the rough billows of the world, have many things yet to learn,) that the way of the transgressor is hard, but that the paths of virtue are both pleasant and peaceful. These are the paths that they now pursue, and from which I trust they will never deviate.

On motion by Mr. Chapman,

The address of the Mutes, as also the address of the Speaker, was laid upon the table and 5000 copies ordered to be printed; 4000 copies for the use of the House, and 1000 copies for the use of the Institution.

On motion by Mr. Davis of Scott,

Bill No. 289 was laid upon the table.

On motion by Mr. Davis of Scott,

A message from the Senate was taken up, for the purpose of considering bill No. 172

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof:

No. 5. An act to amend an act entitled an act to incorporate the town of Liberty, in Union county, approved January 18, 1850.

No. 108. An act to constitute a school district from a portion of territory in the counties of Grant and Blackford.

No. 136. An act for the relief of Ann Blythstone, of Allen county.

No. 146. A joint resolution on the subject of the sale of the northern division of the Central canal.

No. 147. An act for the relief of the lessee of the State's Prison.

No. 164. An act to incorporate the Indiana Life and Marine Insurance Company.

No. 166. An act to incorporate the Indiana Monumental Association.

No. 172. An act to apportion Senators and Representatives for the next five years.

No. 174. An act relative to the Western Plank Road Company in Tippecanoe county.

No. 214. An act in relation to the County Surveyor of Putnam county.

No. 219. An act to amend the general road laws, so far as the county of Putnam is concerned.

In which the concurrence of the House is respectfully requested.

Mr. Willard moved to lay No. 172, in the foregoing message, on the table.

On counting the votes, the ayes were 37 and the nays 37.

The Speaker being called upon, voted in the affirmative.

So the bill was laid on the table.

On motion by Mr. Davis of Scott,

The orders of the day were taken up.

## PETITIONS, MEMORIALS, &amp;c.

By Mr. Crawford;

The petition of the citizens of the town of Milford, Decatur county, praying for a city charter for the same;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Crawford, Brown of Shelby, and Shook.

By Mr. Moore;

A petition from certain citizens of Bartholomew county, concerning the sale of a school section therein named;

Which,

On motion,

Was referred to a select committee, consisting of Messrs. Moore, Hicks and Phillips.

## REPORTS FROM COMMITTEES.

Mr. Pratt, from the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred bill of the House, No. 110, have had the same under consideration, and have made some amendments thereto, upon the adoption of which they recommend the passage of the bill:

No. 110. A bill to amend article 4 of chapter 45 of the Revised Code of 1843, on the subject of partition.

Amend by adding the following as the 4th section:

SEC. 4. The provisions of this act shall extend to all lands held by certificate of purchase, known as the "Wabash and Erie Canal Lands," whether purchased of the State or of the board of trustees of the Wabash and Erie canal, where a part only of the purchase money has been paid; and where such certificates are held by two or more persons as joint tenants, or tenants in common, whether they be original purchasers or their assignees, or the heirs or devisees of such original purchasers or their assigns, and like remedy shall be had for partition as above in this act provided; and when such partition is made, if the owners of the several tracts as partitioned and set off, shall any of them fail or refuse to pay the said board of trustees his proper share of the interest, in advance, on the residue of the purchase money, as said interest shall fall due, or his proper share of the principal as it shall fall due, as it shall be lawful for any

other person interested in preventing the forfeiture of such tract held by said certificate of purchase to pay such share, and for every such advance of money, the person making the same shall have a lien on the share for which the advance may be made, and may enforce such lien, or proceed by action at law to recover back the money advanced, with interest.

Amend by making the 4th section of the bill the 5th.

On motion by Mr. Franklin,

The bill and pending amendments were laid upon the table.

Mr. Edwards from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred bill of the Senate, No. 127, a bill to amend chapter 4 of the Revised Code of 1843, have had the same under consideration, and have directed me to report the same back without amendment, recommend its passage, and ask to be discharged from the further consideration thereof.

The bill was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Franklin, from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred bill of the House, No. 189, entitled an act to regulate the summoning of minor heirs in all cases in courts of Chancery and in courts of Probate in this State, have had the same under consideration, and have directed me to report the same back and recommend the indefinite postponement thereof.

Which was concurred in.

Mr. Williamson, from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred bill of the Senate No. 98, "an act for the protection of persons and property on railroads," have had the same under consideration, and have directed me to report the same back with a recommendation that it be indefinitely postponed, and said committee ask to be discharged from the further consideration thereof.

Which was concurred in.



Mr. Pratt, from the committee on the Judiciary, made the following report:

MR. SPEAKER:

The Judiciary committee, to whom was referred bill of the House No. 302, entitled "a bill to require non-residents to give security for costs," have had the same under consideration, and have directed me to report the same back, and recommend the indefinite postponement thereof.

Which was concurred in.

Mr. Coburn, from the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred No. 220, "a bill the more effectually to prevent frauds and perjury," have had the same under consideration, and have directed me to report the same back, with the recommendation that it be indefinitely postponed, and said committee ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Chapman, chairman of the committee on Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred No. 222, an act entitled "an act amendatory to sections 15 and 20, of chapter 35, of the Revised States of 1843," have had the same under consideration, and have directed me to report the same back and recommend the indefinite postponement thereof, and said committee ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Chapman, chairman of the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred the memorial of Daniel Mace and others, have had the same under consideration, and have directed me to report the accompanying bill, and recommend its passage:

No. 351. A bill for the relief of the assignees of J. and E. L. Beard;

Was read a first time and passed to a second reading.

Mr. Bradley, chairman of the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred bill 234, an act amending sections 48, and 49, and 50, of the Revised Statutes of 1843, have had the same under consideration, and have instructed me to report the same back to the House with sundry amendments, and upon the adoption of the same, respectfully to recommend its passage.

Amend the 1st section by striking out the following words in the 8th, 9th, 10th, 11th, 12th, 13th, and 14th lines, viz: "If the plaintiff, or his agent or attorney, shall file in the office of the Clerk of the Court, his, her, or their affidavit that the defendant has no property liable to execution in this State, except the property so mortgaged, as he, she, or they verily believe," and insert in lieu thereof the following: "If the Sheriff holding such execution shall be unable to find any property of such defendant liable to execution other than the property so mortgaged."

Second. Strike out the second section.

Third. Change the number of 3d section to 2d section.

Which was adopted, and the bill ordered to be engrossed.

Mr. Lewis, chairman of the committee on Education, made the following report:

MR. SPEAKER:

The committee on Education, to whom was referred sundry petitions praying for certain alterations in the school law of January 17, 1849, deem said alterations inexpedient, and beg to be discharged from their further consideration.

Which was concurred in.

Mr. Watt, chairman of the committee on Roads, made the following report:

MR. SPEAKER:

The committee on Roads, to whom was referred the petition of sundry citizens of Allen, Wells, and Huntington counties, praying for the location of a State road therein named, being fully satisfied

that said petitioners have faithfully complied with the conditions of an act approved January 16, 1849, which requires that notice of petition shall be given, &c., have directed me to report the following bill and recommend its passage:

No. 352. A bill providing for a certain road therein named;

Which was read a first time.

On motion by Mr. Bird,

The rule was suspended and the bill read a second time and ordered to be engrossed.

Mr. Watt, chairman of the committee on Roads, made the following report:

**MR. SPEAKER:**

The committee on Roads, to whom was referred Senate bill No. 150, have had the same under consideration, and instructed me to report the same back to the House with one amendment, and with the amendment recommend its passage.

No. 150. A bill providing for the location of a State road from Troy, in Perry county, to Spencer, in Owen county, in this State.

Amend by striking out sections 5, 6, and 7.

The report was concurred in, and the bill ordered to a third reading.

Mr. Watt, chairman of the committee on Roads, made the following report:

**MR. SPEAKER:**

The committee on Roads, to whom was referred the petition of sundry citizens of Parke county, praying for the location of a State road therein named, have had the same under consideration, and having no evidence before them that said petitioners have complied with the 3d section of an act approved January 16, 1849, which requires that notice shall be given of such petition, &c., have instructed me to report the same back, and recommend it to be laid on the table, and ask to be discharged from its further consideration.

Which was concurred in.

Mr. Crawford, chairman of the committee on Canals and Internal Improvements, made the following report:

**MR. SPEAKER:**

The committee on Canals and Internal Improvements, to whom was referred House bill No. 217, a bill fixing the salary of the State Trustee of the Wabash and Erie Canal, have had the same under

consideration, and from all the facts obtained on the subject, the committee believe it inexpedient to legislate on the subject at present, and have directed me to return the bill to the House and recommend its indefinite postponement, and ask to be released from the further consideration of the subject.

Which was concurred in.

Mr. Bradley, chairman of the committee on Corporations, made the following report:

**MR. SPEAKER:**

The committee on Corporations, to whom was referred bill No. 152, an act to amend an act entitled an act to incorporate the Lake Michigan, Logansport, and Ohio River Railroad Company, enacted by the General Assembly in February, 1848, have had the same under consideration, and have instructed me to report the same back to the House with sundry amendments and upon the adoption thereof to recommend its passage.

Amend by adding at the conclusion of the 1st section,

That said road shall commence on, or south of the Indianapolis and Bellefontaine Railroad, and progress northwardly, and shall not be constructed north of said Peru and Indianapolis Railroad until that portion of said road south of the said Peru and Indianapolis Railroad shall have been completed.

2d. Amend by adding to the bill the following section:

The said Lake Michigan, Logansport, and Ohio River Railroad Company, or their agents, shall not make such location so as to cross said Peru and Indianapolis Railroad at any point south of the town of Kokomo, in Howard county, and the said Lake Michigan, Logansport, and Ohio River Railroad, shall not, neither with or without the consent of either or both of said Companies, or the directors thereof, connect with the said Peru and Indianapolis Railroad, until the same shall be completed from the said town of Kokomo to the town of Peru, in Miami county.

A message from the Senate by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the engrossed amendments of the House to the following engrossed bills of the Senate.

No. 30. An act relating to the Clark county Central Plank Road Company.

No. 111. An act to incorporate the town of Covington, in the county of Fountain.

No. 114. An act to amend an act entitled an act to incorporate

the trustees of the Hartsville Academy, approved January 12, 1850.

No. 129. An act for the construction of a sewer at the State Prison.

The Speaker adjourned the House.

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Half-past 1 o'clock, P. M.

House met.

The question pending at the adjournment of the House was on concurring in the report of the committee on Corporations, on House bill

No. 152. A bill to amend an act entitled an act to incorporate the Lake Michigan, Logansport, and Ohio River Railroad Company, enacted by the General Assembly in February, 1848.

On motion by Mr. Davis of Scott,

The order requiring the orders of the day to be taken up each day at 2 o'clock,

Was suspended.

On motion by Mr. Donaldson,

A call of the House was ordered.

On motion by Mr. Davis of Scott,

Leave of absence was granted Mr. Humphreys, on account of sickness.

On motion by Mr. Wilson,

Leave of absence was granted Mr. Marvin, who had gone home.

Mr. O'Neal was granted leave of absence on account of sickness.

On motion by Mr. Carr,

Leave of absence was granted Mr. Schwartz on account of sickness.

Mr. Watts moved to suspend a further call of the House ;

Which motion did not prevail.

On motion by Mr. Bulla,

Leave of absence was granted Mr. Watt on account of sickness.

On motion by Mr. Nelson,

The absentees were sent for, to-wit :

Messrs. Caylor, Crawford, Graff, Harrison, Haywood, Houghman, Hutchinson, Lewis, McCarty, Patterson of Marshall, Patterson of Tippecanoe, Rice, Usher, Williamson, and Mr. Speaker.

On motion by Mr. Ross,

A further call of the House was dispensed with.

Mr. Pratt moved to lay the amendments on the table.

The ayes and noes being demanded by two members,

Mr. Harrison asked leave to be excused from voting,  
Which was granted.

*Those who voted in the affirmative were,*

Messrs. Benson, Bulla, Carr, Caylor, Clark, Conner, Goodwin, Hubbard, Isom, Johnston, Lawrence, Marshall, McCarty, Millikan, Moore, Morrow, Patterson of Marshall, Pratt, Riley, Swihart of Huntington, Thompson of Carroll, Usher, Williamson, and Withers—24.

*Those who voted in the negative were,*

Messrs. Blue, Bradley, Brown of Pike, Brown of Shelby, Chapman, Coburn, Cowan, Cox, Crim, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Elkins, Essex, Fleece, Franklin, Gentry, Goodman, Graff, Hall, Hamilton, Harris, Haywood, Hicks, Hosbrook, Houghman, Jackson, Jones, Jordan, Lank, Lindsey, McClelland, McKim, McMakin, Mercer, Morgan, Nelson, Painter, Pancake, Peck-enpauqh, Phillips, Reynolds, Robbins, Ross, Shook, Shull, Simler, Stayner, Stone, Swihart of Wabash, Thorn, Walls, Watson, Watt, Watts, Willard, Wilson, and Wittenmeyer—59.

So the amendments were not laid upon the table.

The report was then concurred in.

On motion by Mr. Pratt,

The bill was referred to a select committee consisting of Messrs. Pratt, Conner, and Thompson of Carroll.

Mr. Clark, from a select committee, made the following report :

**MR. SPEAKER :**

The select committee, to whom was referred bill of the House, No. 329, an act to repeal the 5th, 6th, and 7th sections of an act to amend an act granting to the citizens of the town of Aurora, in the county of Dearborn, a city charter, approved January 19, 1850, have had the same under consideration, and instructed me to report the same back to the House and recommend that it be indefinitely postponed.

Which was concurred in.

Mr. Clark, from a select committee, made the following report :

**MR. SPEAKER :**

The select committee, to whom was referred bill of the Senate, No. 159, entitled an act to authorize the township trustees of Lawrenceburg township, Dearborn county, to assess and collect a free

bridge tax, have had the same under consideration, and made two amendments thereto, and instructed me to report the same back to the House and, on the adoption of said amendments, recommend the passage of the bill.

Add to the 6th section the following:

*Provided, however,* That before this act shall go into effect it shall be sanctioned by a majority of the legal voters of said township, either at the township election or the general election; and it shall be the duty of the township trustees of Lawrenceburg township to cause this act to be published in some newspaper published in said township for at least one month preceding the election at which the vote for and against this act shall be taken, accompanied with a notice to be published the same length of time apprising the voters of said township of the time and place the vote will be taken for and against this act; the inspector of the election of said township shall propound to each voter as he presents his vote, the following question, "are you in favor of the act of the Legislature authorizing the township of Lawrenceburg to collect a tax to build free bridges and to issue bonds to buy the bridge at New Town?" The said inspector shall keep a tally of the votes thus taken, showing those who voted for and those who voted against this act, and shall certify said vote to the clerk of the circuit court; and if a majority of said voters shall answer in the affirmative, then this act shall go into effect, otherwise it shall not.

Second amendment:

Strike out the 7th section.

Which amendments were adopted and the bill ordered to a third reading.

Mr. Benson, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee, to whom was referred the petition of E. F. Lucas and others; also, the remonstrance of Lewis Evans and others, on the subject of a State road in Warren county, ask to be discharged from the further consideration of the subject, and ask that the same be referred to the committee on Roads.

Which was concurred in.

Mr. Blue, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee, to whom was referred a petition of citizens of Palestine, in Kosciusko county, on the subject of unsold lots in the said town of Palestine, have had the same under consideration and have directed me to report the same back and recommend that

it is inexpedient to legislate on the same, and ask to be discharged from the further consideration of the same.

Which was concurred in.

Mr. Harrison, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee, to whom was referred the petition of the citizens of Valparaiso, praying the incorporation of said town, have had the same under consideration, and have instructed me to report the following bill and respectfully to recommend its passage, and ask to be discharged from the further consideration of the subject:

No. 353. A bill to incorporate the town of Valparaiso, in the county of Porter.

Was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Painter from a select committee, made the following report:

**MR. SPEAKER:**

The select committee to whom was referred the petition of sundry citizens of the town of Salem, Washington county, Indiana, have had the same under consideration and have directed me to report the following bill and respectfully recommend its passage:

No. 354. A bill to incorporate the town of Salem, in the county of Washington;

Which was read a first time and passed to a second reading.

Mr. Davis of Scott, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee to whom was referred the petition of Wm. Chasteen and others, proprietors of the south half of section five in township No. 3, north of range No. 8 east, citizens of the county of Jefferson, praying to have the same attached to the county of Scott, have had the same under consideration and directed me to report the following bill and recommend its passage:

No. 355. A bill to attach the south half of section 5, in township 3, in range 8 east, to the county of Scott;

Was read a first time and passed to a second reading.



## RESOLUTIONS.

On motion by Mr. Usher,

*Resolved*, That Thomas Shannon of Cass county, have leave to withdraw his petition, referred to the committee on claims.

## BILLS INTRODUCED.

By Mr. Elkins,

No. 356. A bill to incorporate the Bluffton Band, Wells county; Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Stayner,

No. 357. A bill to vacate a part of Gilmore's addition to the village of Angola, in Steuben county;

Which was read a first time.

On motion,

The rule was suspended and the bill read a second time and ordered to be engrossed.

By Mr. Millikan,

No. 358. A bill to incorporate the Vernon Life, Trust, Trading, and Manufacturing Company;

Which was read a first time.

On motion,

The rule was suspended and the bill read a second time and referred to a select committee consisting of Messrs. Phillips, Crawford, Millikan, Watts, and Moore.

By Mr. Davis of Scott,

No. 359. A bill in relation to the county debt in Scott county, and authorizing the county commissioners of said county borrow money for certain purposes;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Franklin,

No. 360. A bill for the relief of the owners of lands mortgaged to the Sinking Fund;

Which was read a first, second, and third times, the rule being suspended therefor.

On motion by Mr. Chapman,

The vote on suspending the rule and reading the bill a third time, was reconsidered.

On motion,

The bill was then referred to the committee on the Judiciary.

By Mr. Bird,

No. 361. A bill to amend section 24, chapter 10, of article 1, of the Revised Statutes of 1843, so far as the same relates to the county of Allen.

By Mr. Bird,

No. 362. A bill to repeal an act to amend the Statute providing for taking a change of venue in criminal cases, as far as Allen county is concerned, approved January 16, 1849;

Were each read a first and second times, the rule being suspended therefor, and ordered to be engrossed.

By Mr. Usher,

No. 263. A bill to extend the Terre Haute and Alton Railroad ; Which was read a first and second times, the rule being suspended therefor, and referred to the committee on corporations.

By Mr. Chapman,

No. 364. A bill incorporating the Madison and Cross Plains Plank Road Company ;

Which was read a first and second times, the rule being suspended therefor, and ordered to be engrossed.

By Mr. McCarty,

No. 365. A bill to amend an act entitled "an act to authorize the transfer of cases pending in the Probate to the Circuit Court, as far as relates to Putnam county, approved January 16, 1849, and for other purposes ;"

Which was read a first and second times, the rule being suspended therefor, and referred to the committee on the Judiciary.

By Mr. Bird,

No. 366. A bill to amend an act entitled "an act to incorporate the Ohio and Indiana Railroad Company, approved January 15, 1851 ;

Which was read a first and second times, the rule being suspended therefor, and ordered to be engrossed.

By Mr. Bird,

No. 367. A bill to repeal certain acts therein named, and for other purposes, in Allen county ;

Which was read a first and second times, the rule being suspended therefor, and referred to the committee on the Judiciary.

By Mr. Coburn,

No. 368, A bill to amend an act entitled "an act creating the Marion Court of Common Pleas, approved January 4, 1849 ;"

By Mr. Davis of Scott,

No. 369. A bill extending the provisions of an act for the benefit of the Clark County Central Plank Road Company, to the Madison, Hanover, and Lexington Plank Road Company ;

By Mr. Bird,

No. 370. A bill to amend an act entitled "an act to incorporate the German Theological Seminary of the German Evangelical Lutheran Synod of Missouri, Ohio, and other States ;

Which were severally read three times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Harrison;

No. 371. A bill declaring a certain name a misprint.

Which was read a first time and passed to a second reading.

On motion by Mr. Clark,

Bill No. 174 was taken from the table and placed upon the files of the House.

On motion by Mr. Armstrong,

Bill 219 was taken from the table and placed on the files of the House.

On motion by Mr. Franklin,

Bill No. 110 was taken from the table and placed on the files of the House.

Mr. Hicks moved to take from the table bill 172 and place it on the files of the House;

Which motion did not prevail.

By Mr. Ross;

No. 372. A bill providing for the election of three commissioners in township No. 12, of range No. 11 east, situated in the counties of Franklin, Rush, and Decatur;

Which was read a first and second times, the rule being suspended therefor, and,

On motion,

Referred to a select committee consisting of Messrs. Ross, Riley, and Crawford.

#### ORDERS OF THE DAY.

The question at the adjournment of the House on Saturday last was on the engrossment of bill

No. 277. A bill confirming the sale of the Georgia Lands to Martin R. Green.

On motion,

The correspondence of Ex-Governor Dunning, and others, on the subject was read to the House.

On motion,

The order of business was suspended, and Mr. Shull offered the following resolution:

*Resolved*, That the use of this Hall be tendered to Miss Fannie Lee Townsend on Wednesday evening next for the purpose of lecturing upon the subject of Modern Reform, Theology, &c., and on such other evenings, at her pleasure, during the session as will not be otherwise engaged with the business of this House.

Mr. Shook, chairman of the committee on Enrolled bills, made the following report:

**MR. SPEAKER :**

The committee on Enrolled Bills have examined the following and find them correctly enrolled :

No. 11. An act authorizing the Secretary of State to issue a patent to Daniel K. Smith for a tract of land therein named.

No. 18. An act to repeal an act entitled an act fixing a salary of the Auditor of the county of Owen.

No. 66. An act for the benefit of the common schools of Boone county.

No. 88. An act to amend sections 302, 303, and 304 of article 13, chapter 47, Revised Statutes of 1843; also section 2, of chapter 61, on pages 1030, 1031, and 1032, of Revised Statutes of 1843, and for other purposes.

No. 97. An act relative to the practice of law.

No. 244. An act to locate a State road in the county of War-  
rick.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Coburn, chairman of the committee on Engrossed Bills, made the following report :

**MR. SPEAKER :**

The committee on Engrossed Bills have examined bills Nos. 76, 141, 151, 187, 198, 288, 290, 292, 304, 319, 325, 339, 342, 345, and 349 and report that they are correctly engrossed.

The Speaker adjourned the House.

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**TUESDAY MORNING, February 4, 1851.**

The House met.

The Journal was partly read.

On motion by Mr. Robbins,

The further reading of the Journal was dispensed with.

On motion by Mr. Mercer,

The following message was taken up.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof: No. 217. An act in relation to the Northern Indiana Railroad Company.

In which the concurrence of the House is respectfully requested.

The bill contained in the message was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

#### PETITIONS, MEMORIALS, &C.

By Mr. Lank ;

The memorial of the citizens of Randolph county, on the subject of temperance ;

Which,

On motion,

Was referred to the committee on Temperance.

On motion,

Leave was granted Mr. Dumont to withdraw a petition from the files of the House.

By Mr. Nelson ;

The petition of the citizens of Boone and Marion counties, on the subject of a road therein named ;

Which,

On motion,

Was referred to a select committee of five, consisting of Messrs. Marvin, Nelson, Hosbrook, Coburn, and Morgan.

By Mr. Hosbrook ;

A remonstrance upon the same subject ;

Which,

On motion,

Was referred to the same select committee.

By Mr. Goodwin ;

The petition of the citizens of the county of Martin, in regard to assessing and collecting taxes ;

Which,

On motion,

Was referred to the committee on Ways and Means.

By Mr. Hubbard ;

The temperance memorial of the ladies and gentlemen of Henry county.

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Nelson ;

The Petition of sundry citizens of Sullivan county, on the subject of a road ;

Which,

On motion,

Was referred to the committee on Roads.

By Mr. Houghman ;

The petition of the citizens of Howard and Tipton counties, on the subject of Roads ;

Which,

On motion,

Was referred to the committee on Roads.

By Mr. Jackson ;

The petition of the ladies of Tipton county, on the subject of temperance ;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. Brown of Shelby ;

The remonstrance of the citizens of Shelby county, against the passage of a certain bill in regard to vacating five miles of the Brookville and Indianapolis State road ;

Which,

On motion,

Was laid on the table.

By Mr. Patterson of Marshall ;

The petition of the citizens of Marshall and Fulton, in regard to roads ;

Which,

On motion,

Was referred to the committee on Roads.

By Mr. Withers ;

The petition of the citizens of Franklin county, on the subject of temperance ;

Which,

On motion,

Was referred to the committee on Temperance.

By Mr. McKim ;

The petition of the citizens of Perry county, on the subject of a road ;

Which,

On motion,

Was referred to the committee on Roads.

By Mr. McKim ;

The petition of the citizens of Perry and other counties on the subject of a State road ;

Which,

On motion,

Was referred to the committee on Roads.

By Mr. Hicks ;

The petition of citizens of Blue River township, Johnson county, for the repeal of the law prohibiting the sale of intoxicating drinks in said township ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Hicks, Coburn, and Moore.

On motion by Mr. Lank,

Mr. Gentry was added to the select committee on school lands in Monroe county ;

By Mr. Bird ;

The petition of H. R. Colerick ;

Which,

On motion,

Was referred to the committee of Ways and Means.

By Mr. Lank ;

The petition of the negroes of Randolph county ;

Which,

On motion by Mr. Chapman,

Was laid upon the table.

On motion,

Leave was granted Mr. Painter to withdraw from the files of the House the petition of the citizens of Washington county, concerning the incorporation of the town of Salem.

#### REPORTS FROM COMMITTEES.

Mr. Chapman, chairman of the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred No. 334, "an act to give the Judge of the Probate Court of Monroe county, authority to issue and try writs of Habeas Corpus," have had the same under consideration and have directed me to report the same back and recommend the indefinite postponement thereof.

Which was concurred in.

Mr. Pratt from the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred No. 336

an act to amend an act in relation to Subpoenas in Chancery, have had the same under consideration, and having heretofore recommended the passage of a bill with similar provisions, they respectfully recommend that said bill, No. 336, be laid upon the table.

Which was concurred in.

Mr. Williamson from the committee on the Judiciary, made the following report:

**MR. SPEAKER :**

The committee on the Judiciary, to whom was referred a resolution of the House, instructing said committee to inquire into the expediency of reporting a law to prevent the further immigration of blacks into the State, and to revise the laws in relation to free blacks generally, have had the same under consideration and directed me to report the following bill:

No. 373. A bill to amend an act entitled "an act concerning free negroes and mulattos, servants and slaves, approved January 10, 1851 ;

Which was read a first and second times, the rule being suspended therefor, and ordered to be engrossed.

Mr. Franklin from the committee on the Judiciary, made the following report:

**MR. SPEAKER :**

The committee on the Indiciary, to whom was referred bill of the Senate, No. 122, an act to extend further time to the borrowers of the sinking fund and other trust funds, have had the same under consideration and have made the following amendment thereto, and as amended, respectfully recommend the passage thereof:

Strike out at the end of the proviso, the following: "Nor shall any loan be made," and insert in lieu thereof, "and when any of said loans are upon personal security, new security shall be given in cases of original loans."

Strike out at the end of the proviso, the following: "Nor shall any new loan be made," and insert in lieu thereof, "and when any of said loans are upon personal security, new security shall be given as in cases of original loans."

Which were concurred in and the bill ordered to a third reading.

Mr. Chapman, chairman of the committee on the Judiciary, made the following report:



**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred No. 177, an act explanatory of an act entitled "an act for the relief of widows whose husbands die intestate without any heirs lineally descended from them, approved January 19, 1850," with instructions to inquire into the expediency of so amending said bill as to make the same apply to real estate as well as personal, have had said bill and instructions under consideration and are of the opinion that it would be impracticable to so amend the bill. Said committee recommend the passage of the bill without amendment and ask to be discharged from the further consideration thereof:

On motion by Mr. Chapman,

The rule was suspended, the bill was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Coburn from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred the petition of Isaac H. Wright County Surveyor of Benton county, have directed me to report the same back to the House with a recommendation that it be referred to the committee on Swamp Lands, and said committee ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Edwards from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The Judiciary committee, to whom was referred so much of the Governor's Message as relates to an act for the relief of Patrick McGinley, have considered the same and instructed me to report that inasmuch as the cause relative to the claim of said McGinley, against the State, is now pending in the Supreme Court, upon affidavit filed and argument heard by counsel employed by the Governor, and docketed for trial, that legislation thereon, at this time, is inexpedient and ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Bradley, chairman of the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, who were instructed by a reso-

lution "to inquire into the expediency of abolishing the present action of ejectment with its nominal parties, &c., and substitute therefor the action of trespass," after duly considering the subject embraced in said resolution, have directed me to report that in the opinion of said committee, it would be inexpedient to make any change in the existing law of ejectment. Said committee, therefore, ask to be discharged from the further consideration of the subject.

Mr. Williamson dissents from the foregoing report.

Which report was concurred in.

Mr. Franklin, from the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred No. 79, "a joint resolution to authorize the Secretary of State to subscribe for a certain number of copies of the Indiana reports," have had the same under consideration and have directed me to report the same back and recommend that it be indefinitely postponed, and ask to be discharged from the further consideration thereof.

On motion by Mr. Bradley,

The report was laid upon the table.

Mr. Bradley from the committee on the Judiciary, made the following minority report:

The undersigned, a minority of the committee on the Judiciary, to whom was referred a joint resolution entitled "a joint resolution," [title not given,] have had the same under consideration, and dissenting from the report of the majority of said committee, respectfully report:

That in the opinion of the undersigned, the chief object in procuring a publication of the decisions of the Supreme Court is, to have the questions of law decided by said court made known to the inferior courts and to litigant parties, in order that they may govern themselves accordingly, when similar cases occur, or similar points arise. Much litigation is thereby prevented, because if the decisions so made are known, it is scarcely probable that parties would prosecute similar cases by appeal or writ of error to the Supreme Court. It is therefore of the utmost importance that law points thus settled should be made known without delay.

The reports of cases thus decided consist simply of the opinions of the judges as written out and delivered by them severally, and copied upon the order book of the court, the reporter merely superintending the printing of the opinions as thus written out, and making a *syllabus* or *analysis* of the points decided in each case, which serves as an index. This requires no peculiar ability, and can be

done by any careful person who is capable of understanding the points decided in the opinions. The intrinsic value of the reports consists in the opinions themselves, which are printed, as the undersigned believe, verbatim as they were delivered.

The reports of Judge Blackford are well and accurately printed, but there is no reason, in the opinion of the undersigned, why the decisions should not be equally as valuable when published by any other person capable of comprehending them.

The 8th and last volume of Blackford's Reports was published about the 1st of May, 1850, and contains the opinions delivered by the Supreme Court up to the close of the year 1847, leaving the decisions of four terms of the court, during the years 1848 and 1849, comprising upwards of two hundred cases, unpublished. As it was not probable that these opinions would otherwise be published within at least two or three years from that period, the volume called the Indiana Reports, containing those unpublished opinions given during the years 1848 and 1849, was published about the same time that the eighth volume of Blackford's Reports was published.

The undersigned are informed that the volume of Indiana Reports was published merely with the view of removing the great inconvenience occasion to the Supreme Court itself, the inferior courts, the bar, and the litigant parties, by the large number of opinions unpublished, and the want of any convenient means of referring to them, and without any intention of continuing the publication of subsequent decisions. The opinions contained in it are, however, published in a sufficiently full and accurate manner to answer all the purposes of those who are interested in knowing the points of law decided by them, and the undersigned can perceive no necessity for their being again published in another form.

The undersigned are also informed that at about the same time that the volume of Indiana Reports appeared, it was announced that the ninth volume of Blackford's reports intended to include the same cases, was in press, and that a proof sheet of about eight pages was struck off, but that nothing further has since been done toward the progress of the work.

Since the publication of the Indiana Reports, two additional terms of the Supreme Court have been held, and a large number of opinions have been given, many of them deciding points of great practical importance, and it is of the utmost importance that they should be published without delay. But for the publication of the Indiana Reports, there would now be three years of the decisions of the Supreme Court entirely unreported, and probably two or three years more would expire before they would be made known to the public.

The undersigned are clearly of opinion that none of the judges of the Supreme Court can, consistently with the duties appertaining to their office, devote any considerable portion of their time to reporting. There are now from six to seven hundred cases on the docket of that court, and about two hundred cases submitted to the

court for examination and adjudication remain on their hands undecided. Some of these have been submitted one, two, three and four years, and in justice to the parties concerned, to many of whom the delay may be ruinous, and to the high and responsible offices they hold, the whole of their time should be devoted to the examination and decision of these cases, until they are all disposed of. As all the judges must necessarily consult and examine these cases together, if one is occupied with business foreign to his office, it is not merely his own time which is lost, but that of the others also, who are hindered and impeded in the performance of their duties, by being obliged to wait until he is at leisure to co-operate with them.

The undersigned are further advised that under the provisions of the new Constitution, should the same be ratified by the people in August or prior thereto, no one of the judges of the Supreme Court can act as Reporter, and it is not probable that any further reports can be made by Judge Blackford prior to that time, as all his time will necessarily be employed in the discharge of the duties of his office, hence no injustice can be done to him, nor will any inroad be made in the series of Blackford's Reports by the passage of the accompanying joint resolution.

The undersigned are, therefore, of opinion that the public interest will be greatly promoted by the passage of the said joint resolution, as the decisions of the court will thereby be procured in a form that will answer all necessary purposes, without delay, at a very considerable reduction of expense to the State, and the judges of the Supreme Court will be enabled to devote themselves exclusively to the legitimate duties of their office.

The following estimate of the difference in expense to the State, and the amount which will be saved in the publication of the same quantity of printed matter, the number of copies taken by the State being about four hundred, is respectfully submitted :

The eight volumes of Blackford's Reports average 580 pages each, and cost the State four dollars per copy. The Indiana Reports contain 425 pages, which are about one-ninth larger than the pages of Blackford's Reports, and are equal to 475 pages of the same.

|                                                       |   |   |   |        |
|-------------------------------------------------------|---|---|---|--------|
| 400 copies of Blackford's Reports, at \$4,            | - | - | - | \$1600 |
| 400 copies of Indiana Reports, at \$2,                | - | - | - | \$800  |
| 105 additional pages, to make the same quantity as in |   |   |   |        |
| Blackford's Reports,                                  | - | - | - | 170    |

|             |   |   |   |   |   |   |       |
|-------------|---|---|---|---|---|---|-------|
| Total cost, | - | - | - | - | - | - | \$970 |
|-------------|---|---|---|---|---|---|-------|

Showing a saving to the State of six hundred and thirty dollars.

The undersigned therefore would respectfully recommend the passage of the said joint resolution.

JAMES BRADLEY,  
D. D. PRATT.

On motion by Mr. Chapman,

The report of the majority of the committee on joint resolution, No. 79, was taken from the table.

The question being on concurring in the report of the committee  
Was decided in the negative.

Mr. Chapman offered the following amendment:

Strike out of the first section the following:

And said joint resolutions of 1836 and 1837, so far as they authorize a subscription for reports of cases decided by the Supreme Court, during the period comprised in the reports herein authorized to be subscribed for, are hereby repealed.

Also, strike out the 2d section.

Which was adopted.

Mr. Franklin moved to indefinitely postpone the joint resolution.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Blue, Brown of Pike, Brown of Shelby, Bulla, Carr, Caylor, Coburn, Conner, Cowan, Cox, Crawford, Crim, Edwards, Elkins, Essex, Fleece, Franklin, Gentry, Goodwin, Hall, Hamilton, Hammond, Harris, Haywood, Hosbrook, Houghman, Hubbard, Hutchinson, Isom, Jackson, Johnston, Jones, Jordan, Lank, Lawrence, Lewis, Lindsey, Marshall, McCarty, McClelland, McKim, McMakin, Millikan, Moore, Morgan, Nelson, Painter, Pancake, Patterson of Tippecanoe, Peckenpaugh, Phillips, Riley, Robbins, Ross, Shook, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Thorn, Walls, Watson, Watt, Watts, Wilson, Withers, and Wittenmeyer—73.

*Those who voted in the negative were,*

Messrs. Bird, Bradley, Chapman, Clark, Davis of Dubois, Davis of Scott, Donaldson, Graff, Hicks, Mercer, Morrow, Patterson of Marshall, Pratt, Usher, and Willard—15.

So the joint resolution was indefinitely postponed.

Mr. Ross, from the committee on Corporations, made the following report:

**MR. SPEAKER :**

The committee on Corporations, to whom was referred Senate bill No. 66, entitled an act to incorporate the Winchester and Greenville Railroad Company, have had the same under consideration, and have directed me to report the same back without amendment and recommend its passage.

On motion by Mr. Chapman,  
The bill was laid upon the table.

Mr. Williamson, from the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred House bill No. 278, entitled a bill for the relief of the Terre Haute and Richmond Railroad Company, and the Indiana Central Railway Company, have directed me to report the same back with an amendment, and when so amended to recommend its passage:

Amend by adding after the word "length," in the first section the following words:

*Provided*, That the said Indiana Central Railway Company shall not construct any lateral branch at or east of Indianapolis, from the south side of their road, except from the county of Wayne.

Mr. Chapman moved to strike out the report of the committee and substitute the following:

*Provided*, No such lateral branch shall be constructed by either of said companies to connect at any point west of the west line of the county of Wayne, with any other railroad leading to or in the direction of Cincinnati, Ohio.

A division of the question was called.

The question was then put on striking out, and,

Was decided in the affirmative.

The question then being on the adoption of the amendment of Mr. Chapman,

Was decided in the affirmative.

On motion by Mr. Usher,

The rule was suspended, and the bill read a third time.

The question being, Shall the bill pass?

The ayes and noes being demanded by Messrs. Caylor and Riley,

*Those who voted in the affirmative were,*

Messrs. Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Carr, Chapman, Clark, Coburn, Conner, Cowan, Cox, Crawford, Crim, Davis of Scott, Donaldson, Edwards, Elkins, Essex, Fleece, Franklin, Gentry, Goodwin, Graff, Hall, Hamilton, Hammond, Harris, Hicks, Hosbrook, Houghman, Hubbard, Hutchinson, Isom, Jackson, Johnston, Jordan, Lank, Lawrence, Lewis, Lindsey, Marshall, Marvin, McCarty, McClelland, McMakin, Mercer, Moore, Morrow, Morgan, Nelson, Pancake, Patterson of Tippecanoe, Peckenpaugh, Phillips, Pratt, Reynolds, Robbins, Ross, Simler, Stayner, Stone, Schwartz, Swihart of Wabash, Swihart of Huntington, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Watson, Watt, Watts, Willard, Williamson, Wilson, Withers and Wittenmeyer—78.

*Those who voted in the negative were,*

Messrs. Armstrong, Caylor, McKim, Painter, Patterson of Marshall, Riley, Shook, and Shull—8.

So the bill passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

Mr. Pratt, from a select committee, made the following report:

**MR. SPEAKER :**

The select committee, to whom was referred House bill No. 151, with the amendments thereto, concurred in by the House, have had the same under consideration and instruct me to report the same back to the House with an amendment striking out all of the original bill and the amendments thereto, from the enacting clause, and substituting three sections in lieu thereof, and to recommend the passage of the bill as thus amended.

Amend by striking out all after the enacting clause, and insert the following :

“That the Lake Michigan, Logansport, and Ohio River Railroad Company, be and they are hereby authorized and empowered by themselves or their agents, to examine, survey, locate, and construct a Railroad with a single or double track, upon the most eligible ground for the interest of the company, and not injurious to the public, commencing at the town of Logansport, in Cass county, and running thence north either to Michigan City, or to such point on the line of the Buffalo and Mississippi Railroad route east of Michigan City, as said company may select.

Sec. 2. That so much of section 16, of the act to which this is an amendment, as requires said company to commence at the town of Indianapolis, the examination making survey and location of a route for a Railroad be and the same is hereby repealed, so far as said 16th section, prohibits the commencement of said road at Logansport, to construct the same north of that point.

Sec. 3. This act shall be deemed and taken to be a public act, and shall take effect and be in force from and after its passage.

Which amendments were concurred in.

On motion by Mr. Pratt,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Williamson from the committee on Corporations, made the following report:

**MR. SPEAKER:**

The committee on Corporations, to whom was referred Senate bill No. 120, "an act to incorporate the Commercial Railroad Company," have had the same under consideration and directed me to report the same back to the House and recommend its passage.

Which report was concurred in and the bill was ordered to a third reading.

Mr. Patterson of Marshall, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee to whom was referred the petition of sundry citizens of Fulton county, asking the passage of an act therein referred to, have had the same under consideration and have instructed me to report the accompanying bill and respectfully recommend its passage:

No. 374. A bill to extend the provisions of an act entitled "an act to enable the qualified voters of District No. 4, in Township 31, north of Range 6 east, in Kosciusko county, to levy a tax in said district, sufficient to build a school house, approved January 21, 1850, to the several school districts in Fulton county;

Was read three several times the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Chapman,

Senate bill No. 66. A bill to incorporate the Winchester and Greenville Railroad Company;

Was taken from the table, read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Williamson, from the committee on Corporations, made the following report:

**MR. SPEAKER:**

The committee on Corporations, to whom was referred House bill No. 338, an act to incorporate the Wabash, Warsaw, and Goshen Plank Road Company, have had the same under consideration and have directed me to report the same back to the House, and recommend its passage.

The bill was ordered to be engrossed.

Mr. Donaldson from the committee on Corporations, made the following report:



**MR. SPEAKER:**

The committee on Corporations, to whom was referred House bill No. 350, an act to amend an act entitled "an act to incorporate the town of Peru, approved February 14, 1848, have had the same under consideration and have directed me to report the same back without amendment and respectfully recommend its passage.

On motion,

The rule was suspended, the bill was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Phillips from a select committee, made the following report:

**MR. SPEAKER:**

The committee to whom was referred House bill No. 358, have had the same under consideration and instructed me to report the same back with sundry amendments, and as thus amended, to recommend its passage.

Amend first section, twenty-second line, by striking out five and inserting three, so as to read three hundred thousand, and to add at the proper place the following:

Sec. 7. That the capital stock of said company shall not at any time exceed the sum of three hundred thousand dollars, and shall consist and be made up of shares of fifty dollars each. One hundred of which shall have been subscribed for, and at least ten per cent. thereof paid in cash, and the remainder secured to the satisfaction of said directors, before such company shall, under this charter, be allowed to commence business.

Sec. 8. *Provided*, that all monies deposited as provided in the third section of this act, shall have precedence in payment, over all other debts or liabilities of said company; *And provided further*, that each and every stockholder therein, shall be held liable, in his individual capacity, for the amount of his individual stock in said company;

Which were concurred in.

On motion,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Williamson, from the committee on Corporations, made the following report:

**MR. SPEAKER:**

The committee on corporations, to whom was referred House bill No. 133, entitled an act to extend the Martinsville and Franklin

railroad via of Spencer, in Owen county, to the Wabash and Erie canal, have had the same under consideration, and directed me to report said bill, without amendment, back to the House, and recommend its passage.

On motion by Mr. Franklin,

The rule was suspended, and the bill read a third time, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Williamson, from the committee on Corporations, made the following report :

**MR. SPEAKER :**

The committee on Corporations, to whom was referred Senate bill No. 160, an act to incorporate the Anderson, Alexandria and Jonesboro' Plank Road Company, have had the same under consideration, and directed me to report the same back to the House and recommend its passage.

Which was concurred in, and the bill ordered to a third reading.

On motion,

The order of business was suspended, and

Mr. McClelland introduced

No. 375. A bill for the benefit of the Indiana Hospital of the Insane;

Which was read three several times, the rule being suspended therefor and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Benson, from a select committee, made the following report :

**MR. SPEAKER :**

The select committee, to whom was referred the petition of B. F. Gregory and others of Warren county, and Hartley T. Howard and others of Benton county, praying for a State road to be located from Williamsport, in Warren county, to Oxford, in Benton county, have had the subject under consideration, and ask leave to report the following bill :

No. 376. A bill to locate a State road in the counties of Warren and Benton.

Which was read a first time and passed to a second reading.

Mr. Hosbrook, from a select committee, made the following report :

MR. SPEAKER:

The select committee, to whom was referred Senate bill No. 101, entitled an act to repeal an act entitled an act declaring a certain stream therein named a public highway, have had the same under consideration, and directed me to report the same back to the House and recommend that said bill be laid on the table, and ask to be discharged from further consideration of the subject.

Which was concurred in.

Mr. McCarty, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred an act to amend the charter of the Central Plank Road Company, have directed me to report that they have had the same under consideration, with the instructions of the House upon the subject, that sections three and four be stricken out, and that the following section be substituted for section four:

The board of directors shall provide, by by-laws, for carrying into effect any and all provisions of this act, full power and authority for that purpose being hereby invested in them.

And your committee also recommend the following amendment:

Strike out all of section two, after the word width in the ninth line, and insert the following:

*Provided*, That the provisions of this act shall only relate to such portion or portions of such road as are already constructed or partly constructed of gravel or other hard substance other than plank.

Which was concurred in.

On motion by Mr. Coburn,

The bill was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

#### BILLS INTRODUCED.

By Mr. Shook;

No. 377. A joint resolution suspending the operation of a certain act therein named;

Which was read a first and second times, the rules being suspended therefor.

Mr. Shook offered the following amendment:

The operation of this act referred to is hereby suspended until the meeting of the next General Assembly.

Which was adopted.

On motion by Mr. Shook,

The rule was suspended, and the joint resolution was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Willard;

No. 378. A bill to authorize the formation of gas-light companies;

Was read a first and second times, the rule being suspended therefor, and referred to the committee on Corporations.

By Mr. McClelland;

No. 379. A bill to legalize certain roads in Clinton county;

By Mr. Hamilton;

No. 380. A bill for the relief of Harmon N. Kress, of Clay county;

By Mr. Bulla;

No. 381. A bill to amend an act entitled an act to incorporate the Richmond and Boston Turnpike Company, approved February 15, 1839.

Which were severally read three times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Coburn;

No. 382. A bill to extend a certain road therein named;

Which was read a first time and passed to a second reading.

By Mr. Hicks;

No. 383. A bill to incorporate the Franklin Insurance Company;

Which was read a first and second times, the rule being suspended therefor, and,

On motion,

Referred to the committee on Corporations.

On motion,

The order of business was suspended, and,

Mr. Usher, chairman of the committee on Claims, made the following report:

**MR. SPEAKER:**

The committee on Claims, to whom was referred House bill No. 153, for the relief of Dempsey Linton, have had the same under consideration, and have directed me to report the same back to the House for its action thereon.

On motion by Mr. Lank,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and,

Mr. Bradley, from the committee on Corporations, made the following report:

MR. SPEAKER :

The committee on Corporations, to whom was referred bill No. 321, an act to incorporate the Wabash and Marion Plank Road Company, have had the same under consideration, and have instructed me to report the same to the House with four amendments, and upon the adoption thereof to recommend its passage.

Amend the 16th section by striking out the words "county," or "township," in the 5th and 6th lines, and insert the word "or," between "corporation" and "company," in the 5th line.

Amend the 17th section by inserting between the 13th and 14th lines, the following:

Having first procured the consent of the proper board of county commissioners thereto, who are hereby authorized to grant the same by an order on their records.

Amend the 32d section by adding thereto the following:

And the President and directors of said Company shall be individually liable for all debts by them contracted exceeding the amount of solvent stock subscribed at the time.

Amend the 33d section by adding thereto the following proviso:

*Provided*, That nothing in this act shall be so construed as to authorize said company, in any manner, to interfere with the rights, privileges, and immunities of the Lagro, Marion, and Jonesborough Plank Road Company.

Which was concurred in.

On motion by Mr. Bradley,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Nelson,

The House adjourned.

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Half-past 1 o'clock, P. M.

The House met.

#### ORDERS OF THE DAY.

On motion,

The order of business was suspended, and Mr. Dumont offered the following resolution :

*Whereas*, The Constitutional Convention have ordered a copy of  
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their journal and debates to be furnished to each member and officer of this House, therefore be it

*Resolved*, That the printer to the Constitutional Convention be instructed to deliver to the Clerk of this House a bound copy of the journal and debates of said Convention for each member and officer without delay.

Which was adopted.

On motion,

The order of business was suspended, and,

On motion by Mr. Davis of Dubois,

*Resolved*, Whereas, the papers of Indianapolis have contained repeated attacks on the officers of the Indiana Hospital for the insane, from anonymous as well as responsible correspondents, and,

*Whereas*, The Legislature should exercise a jealous care of the fair name and reputation of all its benevolent institutions, therefore,

*Resolved*, That a select committee of the House, of seven, selected from the members of the medical profession thereof, be appointed by the speaker with full power to examine into all cases of complaint, with power to send for persons and papers, and that they report without any unnecessary delay.

The speaker then appointed the following committee:

Drs. Watts, Lewis, Hutchinson, McClelland, Crawford, Brown of Pike, and Graff.

On motion,

The order of business was suspended, and,

Mr. Usher, from the committee on Ways and Means, made the following report:

**MR. SPEAKER:**

The committee on Ways and Means, to whom was referred that part of the Governor's message relating to the valuation of real estate, have had the same under consideration, and have directed me to report the accompanying bill, and recommend its passage.

No. 384. A bill to appraise the real estate of this State, and make the value of the same equal and uniform throughout this State.

Which was read a first time,

On motion,

The rule was suspended, and the bill read a second time.

Mr. Davis of Scott moved to fill the blank by inserting "three years."

Mr. Mercer moved to fill the vacancy by inserting "five years."

The question being on the proposition by Mr. Mercer,

Was decided in the affirmative.

Mr. Hicks moved to lay the bill on the table, and print 100 copies.

Which motion did not prevail.

The bill was then ordered to be engrossed.

On motion,

Mr. Brown of Pike was excused from serving on the select committee on the insane asylum, and Mr. Shull substituted.

On motion by Mr. Franklin,

The following message of the Senate was taken up:

A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have adopted the following resolution:

*Resolved*, That the House of Representatives be requested to return to the Senate bill of the Senate

No. 150. An act providing for the location of a State road from Troy, in Perry county, to Spencer, in Owen county.

In which the concurrence of the House is respectfully requested.

Which was concurred in, and the Clerk ordered to return the bill.

On motion by Mr. Pratt,

Leave of absence was granted the committee on Benevolent and Scientific Institutions for the remainder of the afternoon.

The question at the adjournment on yesterday being on the engrossment of bill

No. 277. A bill confirming the sale of the Georgia Lands to Martin R. Green,

Was now put.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Bradley, Brown of Shelby, Clark, Crim, Davis of Scott, Donaldson, Elkins, Essex, Franklin, Gentry, Graff, Hamilton, Hutchinson, Lank, Lawrence, Lewis, Marshall, Pancake, Patterson of Marshall, Ross, Simler, Stayner, Swihart of Huntington, Thorn, Watson, Willard, Withers, Wittenmeyer, and Mr. Speaker—31.

*Those who voted in the negative were,*

Messrs. Benson, Blue, Bulla, Carr, Caylor, Coburn, Conner, Cox, Crawford, Davis of Dubois, Edwards, Fleece, Goodwin, Hall, Hammond, Harris, Harrison, Haywood, Hosbrook, Houghman, Hubbard, Isom, Jackson, Johnston, Jones, Jordan, Lindsey, Marquess, Marvin,

McCarty, McKim, Millikan, Moore, Morgan, Morrow, Nelson, Painter, Peckenpaugh, Phillips, Reynolds, Riley, Robbins, Shook, Shull, Stone, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Usher, Walls, Watt, Watts, and Williamson—53.

So the bill was not ordered to be engrossed.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House without amendment :

No. 76. An act to vacate an alley in the town of Bloomington.

No. 124. An act to incorporate the Vanderburgh Manufacturing Company.

No. 126. An act to amend an act entitled an act to incorporate the Terre Haute Draw Bridge Company, approved Jan. 13, 1845.

No. 147. An act to incorporate the Newport and Winchester Plank Road Company.

No. 181. An act to enable the qualified voters of district No. 6, township No. 26, range No. 1 west, in Carroll county to levy a tax in said district sufficient to build a school house.

No. 182. An act to amend an act entitled an act to incorporate the Peru and Indianapolis Railroad Company, approved Jan. 19, 1845.

No. 187. An act to enable the citizens of Orange township, Fayette county, to elect an additional justice of the peace, so as to reside in the south part of said township.

No. 194. An act to locate a State road in Allen county.

No. 198. An act for the benefit of the Union Plank Road Company, and the Michigan and South Bend Plank Road Company, in Laporte county.

No. 209. An act providing for the sale of school section, in Congressional township No. 28, north of range No. 4 west, lying in the county of White.

No. 208. An act to amend an act therein named.

No. 211. An act to amend an act approved Jan. 14, 1850.

No. 215. An act to incorporate the town of Plymouth.

No. 235. An act to locate a State road in Cass and Howard counties.

No. 246. An act authorizing the board of commissioners of Pike and Gibson counties to employ by the year a physician to attend on the paupers of said county.

Nor 247. An act to enable the qualified voters of school district Nos. 5 and 8, in township 37, range 3 west, in Laporte county, to build a union school house, and for other purposes.



No. 151. An act in relation to supervisors of roads and highways in the county of Jackson.

No. 263. An act authorizing the board of commissioners of Howard county to cause a record to be made of a certain State road therein named.

No. 164. An act to amend an act entitled an act to amend the act entitled an act to incorporate the city of Fort Wayne, and all acts and parts of acts amendatory thereto.

No. 272. An act to define the duties of justices of the peace in the county of Carroll.

No. 283. An act to prohibit the sale of intoxicating liquors in the town of Middletown, Henry county.

No. 286. An act to enable the Auditor of Spencer county to convey a certain tract of land therein named, to John Masterson.

No. 290. An act to locate a State road from Pleasant Grove, in Fulton county, by the way of the Fulton steam mill, to Perrysburg, in Miami county.

No. 295. An act to locate a State road in the counties of Crawford and Perry.

No. 297. An act for the relief of the inhabitants of district No. 1, in Congressional township No. 1, north of range No. 1 west, in Orange county.

No. 299. An act to restrict the grand jurors of Porter and Lake counties to a limited time in their sessions, and for other purposes.

No. 300. An act to amend an act entitled an act requiring the supervisors of roads, in Coal Creek township, in Montgomery county, to keep the same in repair, and for other purposes therein contained.

No. 315. An act to change the name of the Madison and Napoleon Turnpike Company.

No. 317. An act in reference to the poor of Wayne township, Allen county, Indiana.

No. 319. An act to incorporate the Charlestown and Brownstown Plank Road Company.

No. 331. An act to vacate an alley in the town of Greencastle, in Putnam county.

No. 332. An act to prevent intemperance in Wayne township, in the county of Henry;

No. 349. An act to extend the provisions of an act therein named, to the county of Ripley;

Mr. Withers moved to reconsider the vote on the resolution of Mr. Chapman, concerning the distribution of the "Madison Courier," to the members of this House;

Which motion prevailed.

On motion by Mr. Willard,

The resolution was laid upon the table.

Mr. Gentry from the committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The committee on Enrolled Bills, have compared the following enrolled bill with the engrossed bill of the House, and find the same correctly enrolled, to-wit:

Bill No 15. An act to incorporate the Laporte Male and Female Seminary.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Willard,

The House adjourned to meet at half past 8 o'clock, to-morrow morning.

WEDNESDAY MORNING, February 5, 1851.

House met.

The Journal of the preceding day was partly read, when,

On motion by Mr. Shull,

The further reading of the Journal was dispensed with.

On motion by Mr. Davis of Scott,

The orders of the day was taken up.

A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has concurred in the resolution of the House, providing for the adjournment *sine die*, of both Houses of the General Assembly, on the 10th inst., with the following amendment:

Strike out the 10th and insert the 17th.

In which amendment the concurrence of the House is respectfully requested.

Mr. Watts moved to concur in the amendment of the Senate with the following amendment:

"Strike out "17th," and insert "13th."

Which motion prevailed.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House with sundry amendments :

No. 214. An act extending the provisions of an act therein named, to the 11th Judicial Circuit;

In which amendments the concurrence of the House is respectfully requested.

Which amendments were concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have receded from their disagreement to the engrossed amendment of the House to engrossed bill of the Senate,

No. 15. An act for the relief of Joseph Allen, of Crawford county,

And have concurred in said amendment.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate adhere to their disagreement to engrossed amendment of the House to engrossed bill of the Senate :

No. 65. An act to incorporate the Sparta and Versailles Turnpike Company.

A message from the Senate by Mr. Emerson their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, with one amendment each :

No. 229. An act to amend an act entitled "an act to incorporate the Indianapolis and Springfield Plank Road Company, approved January 19, 1850 ;"

No. 230. An act to repeal an act therein named ;

In which amendments the concurrence of the House is respectfully requested.

Which were concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate refuse to concur in the engrossed amendment of the House to engrossed bill of the Senate,

No. 103. An act to authorize the Governor, Auditor, and Treasurer of State, to borrow money to pay the interest due on the funded debt, on the first day of July next, and defray the expenses of the Constitutional Convention ;

The question being on the House receding from their amendment,  
The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Benson, Bird, Blue, Bradley, Brown of Pike, Carr, Coburn, Cowan, Elkins, Essex, Graff, Hall, Harrison, Hicks, Hutchinson, Lank, Lewis, McClelland, Morgan, Pancake, Patterson of Marshall, Phillips, Ross, Schwartz, Thompson of Carroll, Thorn, Walls, Willard, Withers, Wittenmeyer, and Mr. Speaker—31.

*Those who voted in the negative were,*

Messrs. Armstrong, Brown of Shelby, Bulla, Caylor, Chapman, Clark, Conner, Cox, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Fleece, Franklin, Gentry, Goodwin, Hamilton, Hammond, Haywood, Hosbrook, Houghman, Hubbard, Isom, Jackson, Johnston, Jones, Jordan, Lawrence, Lindsey, Marquess, Marshall, Marvin, McCarty, McKim, McMakin, Mercer, Millikan, Moore, Morrow, Nelson, Painter, Peckenpaugh, Pratt, Reynolds, Riley, Robbins, Shook, Shull, Simler, Stayner, Stone, Swihart of Huntington, Swihart of Wabash, Usher, Watson, Watt, Watts, Williamson, and Wilson—61.

So the House did not recede from its amendment.

On motion,

The House insisted on its amendment.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the engrossed amendment of the House to engrossed bill of the Senate,

No. 68. An act legalizing a certain deed of conveyance heretofore made and executed by the County Auditor of Perry county to William Elder.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House without amendment :

No. 146. An act to incorporate the Connersville and Milton Turnpike Company.

No. 356. An act to incorporate the Bluffton Band, in Wells county.

No. 159. An act in relation to the county debt of Scott county, and authorizing the County Commissioners of said county to borrow money for certain purposes.

No. 168. An act to amend an act entitled an act creating the Marion Court of Common Pleas, approved Jan. 4, 1849.

A message from the Senate by Mr. Emerson, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate refuse to concur in the engrossed amendment of the House to engrossed amendment of the Senate to engrossed bill of the House,

No. 24. An act to amend the charter of the Evansville and Illinois Railroad Company.

On motion,

The House receded from its amendment.

A message from the Senate by Mr. Emerson, their Secretary ;

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof :

No. 157. An act to consolidate and publish in one act the several acts incorporating the city of Lawrenceburg, and to revise and amend the same.

In which the concurrence of the House is respectfully requested.

The bill was read a first and second times, the rule being suspended therefor, and referred to the committee on Corporations.

A message from the Senate by Mr. Emerson, their Secretary.

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof, viz:

No. 202. An act for the benefit of the Mount Vernon and New Harmony Plank Road Company.

No. 204. An act to amend sections 148 and 149, of chapter 5, article 13, of the Revised Statutes of 1843.

No. 206. An act to amend an act entitled an act to amend the 15th chapter of the Revised Statutes, approved January 26, 1847, so far as relates to the county of Shelby.

No. 218. An act to legalize the sale of lands and town lots for taxes in Spencer county, on the first Monday of January, 1851.

No. 221. An act to amend the charter of the town of Bloomington, in the county of Monroe.

No. 226. An act to locate and establish a State road in the county of Allen and Adams.

No. 227. An act to authorize William M. Miller, administrator of the estate of James K. Hemphill, to make a deed to John Vawter.

No. 229. An act to amend an act entitled an act to incorporate the Centreville and Abbingdon Turnpike Company, approved Feb. 12, 1848.

No. 231. An act to vacate a part of Jennings and Jackson streets, in the town of Rushville.

No. 236. An act to amend an act entitled an act to incorporate the Knightstown and Shelbyville Railroad Company.

No. 239. An act to authorize the voters of Jackson township, in the county of Blackford, to vote at Hartford, in said county.

No. 240. An act to incorporate the town of Bluffton, in Wells county, Indiana.

No. 241. An act to authorize the construction of viaducts under public highways.

No. 245. An act to suppress the sale of intoxicating liquors in Jefferson township, in the county of Switzerland.

In which the concurrence of the House is respectfully requested.

## SENATE BILLS ON FIRST READING.

No. 5. A bill to amend an act entitled an act to incorporate the town of Liberty, in Union county, approved January 18, 1850;

No. 108. A bill to constitute a school district from a portion of territory in the counties of Grant and Blackford;

Were each read a first time and passed to a second reading.

No. 136. A bill for the relief of Ann Blythestone, of Allen county;

Was read a first time.

On motion,

The rule was suspended, the bill read a second and third times and passed.

Ordered that the Clerk inform the Senate thereof.

No. 146. A joint resolution on the subject of the sale of the northern division of the Central canal;

Was read a first time.

On motion by Mr. Ross,

The rule was suspended, the bill read a second time.

Mr. Coburn offered the following amendment:

That upon the surrendering of all the leases entered into by the State with persons leasing water power on the northern division of the Central canal, within the county of Marion, and the execution by such lessees, their assignees, heirs or legal representatives, of a full and final discharge from all liabilities, damages, claim, and demand on account of the construction of such canal, any deficiency in the supply of water power, or in any other way whatever; and upon the said lessees also paying and securing to the State the sum of \$2425 in the manner following: one-fourth in hand, and the remainder secured in a manner approved by the Governor, to be paid in three equal annual installments thereafter, the Governor shall be and he is hereby authorized and empowered, in the name and under the seal of the State of Indiana, to execute and declare to the said lessees, their assigns, heirs, or legal representatives, a conveyance by deed of the bed of the said northern division of the Central canal within the county of Marion, including its banks, margin, tow-paths, sidecuts, feeders, basins, right of way, dams, water power, structure and all appurtenances thereunto belonging.

SEC. 2. That if said lessees, their heirs, assigns, or legal representatives, fail to comply with the provisions of this act, required of them in this behalf, within ten days from the passage of this joint resolution, the offer made by George G. Shoup, James Rariden, and John S. Newman, for the interest of the State in said part of the Central canal, subject to the confirmation of the Legislature, shall be accepted finally by the Governor, and upon their compliance with the same, and their execution of a bond, with security approved by the Governor, a conveyance as above of the said interest of the

State in such part of such canal shall be made to them by the Governor in the name and under the seal of the State of Indiana.

Mr. Marvin offered the following amendment to the amendment:

Insert after the word "whatever," in the 11th line, "and giving such bond or bonds, joint and severally, as the Governor may require to secure the State against any damages that may accrue from the overflow of said canal, or otherwise,"

Which was accepted by the mover.

Mr. Carr moved to lay the amendment on the table.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Shelby, Bulla, Carr, Caylor, Chapman, Clark, Cowan, Cox, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Elkins, Essex, Franklin, Gentry, Goodwin, Hall, Hamilton, Harris, Harrison, Hicks, Houghman, Hubbard, Hutchinson, Isom, Jackson, Johnston, Jones, Jordan, Lank, Lawrence, Lewis, Lindsey, Marquess, Marshall, Marvin, McCarty, McClelland, McKim, McMakin, Mercer, Millikan, Moore, Morrow, Nelson, Painter, Pancake, Patterson of Marshall, Peckenpaugh, Phillips, Reynolds, Riley, Robbins, Ross, Shook, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thorn, Usher, Walls, Watt, Watts, Willard, Williamson, Wilson, Withers, Wittenmeyer, and Mr. Speaker—83.

*Those who voted in the negative were,*

Messrs. Brown of Pike, Coburn, Conner, Fleece, Graff, Haywood, Hosbrook, Morgan, and Pratt—9.

So the amendment was laid on the table.

Mr. Hosbrook moved to amend the bill by adding in the proper place the following:

*Provided*, If said purchasers shall fail or refuse to execute the bonds in accordance with the terms of the sale, that then the Governor and Auditor shall convey said canal and appurtenances to the lessees of water power on the same, upon the surrender to the State the unexpired leases, and releasing all claims for damages connected therewith.

*Provided, also*, (by proper enactment,) That the purchasers of said canal shall be subject to suit in any of the courts of this State, by the lessees, for breach of any part of the contract entered into by the State with said lessees.

Which,

On motion by Mr. Williamson,

Was laid upon the table.



Mr. Franklin called the previous question,

Which was seconded by the House.

The question being, Shall the main question be now put?

Was decided in the affirmative.

The question being, Shall the bill be ordered to a third reading?

On motion by Mr. Ross,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 147. A bill for the relief of the lessee of the State Prison.

Was read a first and second times, the rule being suspended therefor.

On motion by Mr. Willard,

Was referred to the committee on State Prison, with the following instructions:

To authorize the Governor to investigate the claim of the lessee of the State Prison for losses which may have been sustained on account of the small pox and cholera, and report to the next session of the Legislature.

Mr. Usher presented to the House a synopsis of the report of the census of the State of Indiana;

Which,

On motion,

Was laid upon the table.

On motion by Mr. Bradley,

The House adjourned until half past one o'clock, P. M.

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Half-past 1 o'clock, P. M.

House met.

#### ORDERS OF THE DAY.

On motion,

The order of business was suspended.

Mr. Franklin, from the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred House bill No. 367, entitled an act to repeal certain acts therein named, and for other purposes, in Allen county, have had the same under con-

sideration, and directed me to report the same to the House, without amendment, and recommend its passage.

On motion by Mr. Bird,

The rule was suspended, and the bill read a third time and passed.  
Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Brown of Shelby,

The vote concurring in the report of the committee recommending the indefinite postponement of Senate bill No. 98, was reconsidered.

The question being in concurring in the report,

Was decided in the negative.

Mr. Brown of Shelby moved to amend by striking out all after the 4th section.

Which was adopted.

On motion by Mr. Franklin,

The bill was laid upon the table.

#### SENATE BILLS ON FIRST READING.

No. 202. A bill for the benefit of the Mt. Vernon and New Harmony Plank Road Company ;

No. 204. A bill to amend Sections 148 and 149 of chapter 5, article 13, of the Revised Statutes of 1843 ;

No. 206. A bill to amend an act entitled an act to amend the 15th chapter of the Revised Statutes, approved January 26, 1847, so far as relates to the county of Shelby ;

No. 218. A bill to legalize the sale of lands and town lots for taxes, in Spencer county on the 1st Monday of January, 1851 ;

Were severally read a first time and passed to a second reading.

No. 221. A bill to amend the charter of the town of Bloomington, in the county of Monroe ;

No. 226. A bill to locate and establish a State road in the counties of Allen and Adams ;

Were each read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

A message from the Governor by Mr. Noel, executive messenger.

MR. SPEAKER:

I am directed by the Governor to inform the House of Representatives, that he has this day approved and signed the following bills:

No. 202. An act to authorize the assessment and collection of a specific tax for road purposes, in the county of Marshall.

- No. 123. An act authorizing the President and Trustees of the town of Lafayette to purchase and hold real estate.
- No. 164. An act relative to recording deeds in Laporte county.
- No. 132. An act to vacate part of the road leading from Harrison to Indianapolis.
- No. 175. An act declaring Flat Creek, or so much thereof as lies within the counties of Pike and Dubois, a public highway.
- No. 170. An act declaring a certain county road therein named a State road.
- No. 248. An act to extend the provisions of an act therein named to a school district in the county of Fayette.
- No. 127. An act to amend an act entitled an act to incorporate the Madison County Hydraulic and Manufacturing Company, approved Jan. 15, 1849.
- No. 136. An act to change the name of persons therein named.
- No. 138. An act to locate a State road in the counties of Pulaski, Starke, and Laporte.
- No. 149. An act to authorize Lloyd Brown and Eli Brown to erect and maintain a mill-dam across White River, near Anderson, in Madison county.
- No. 128. An act to amend an act entitled an act to declare certain water courses in the counties of Perry and Spencer, public highways, and for other purposes, approved January 17, 1850.
- No. 210. An act to enable the board of commissioners of Lake county to borrow money to build and finish a court house and jail.
- No. 106. An act to amend an act entitled an act to incorporate the Greensburg and Brookville Turnpike Company, approved Jan. 15, 1849.
- No. 157. An act to extend the time of the sessions of the board of commissioners of Wayne county.
- No. 53. An act to incorporate the Peru and Anderson Plank road Company.
- No. 76. An act to vacate an alley in the town of Bloomington.
- No. 159. An act for the relief of George Coit.
- No. 140. An act to legalize certain acts of the Henry County Turnpike Company, and for other purposes.
- No. 88. An act to amend sections 302, 303, and 304, of article 13, chapter 47, Revised Statutes of 1843; also, section 2 of chapter 61, on pages 1030, 1031, and 1032 of Revised Statutes of 1843, and for other purposes.
- No. 66. An act for the benefit of the common schools of Boone county.
- No. 61. An act to amend an act entitled an act relating to the leveeing the Wabash river on Shaker Prairie, approved January 14, 1846, and to repeal an act amendatory thereto, approved Jan. 21, 1850.
- No. 18. An act to repeal an act entitled an act fixing the salary of the Auditor of the county of Owen.

No. 11. An act authorizing the Secretary of State to issue a patent to Daniel K. Smith for a tract of land therein named.

No. 244. An act to locate a State road in the county of Warrick.

No. 97. An act relative to the practice of law.

No. 175. An act authorizing John Heiney to build a mill-dam across the Salamonina river.

No. 206. An act to incorporate the town of Hope, in Bartholomew county.

No. 15. An act to incorporate the Laporte male and female and seminary.

No. 227. A bill to authorize William M. Miller, administrator of the estate of James K. Hemphill to make a deed to John Vawter;

Was read a first and second times, the rule being suspended therefor.

Mr. Gentry offered the following amendment:

Strike out "Miller," and insert "Millen," wherever it occurs.

Which was adopted.

The bill was ordered to a third reading.

No. 229. A bill to amend an act entitled an act to incorporate the Centerville and Abington Turnpike Company, approved Jan. 12, 1848.

No. 231. A bill to vacate a part of Jennings and Jackson streets in the town of Rushville.

No. 236. A bill to amend an act entitled an act to incorporate the Knightstown and Shelbyville Railroad Company.

No. 239. A bill to authorize the voters of Jackson township, in the county of Blackford, to vote at Hartford in said county.

Were severally read a first time and passed to a second reading.

No. 240. A bill to incorporate the town of Bluffton, in Wells county, Indiana;

Was read a first, second, and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

No. 241. A bill to authorize the construction of viaducts under public highways.

Was read a first time and passed to a second reading.

No. 245. A bill to suppress the sale of intoxicating liquors, in Jefferson township, in the county of Switzerland;

Which was read a first and second times, the rule being suspended therefor, and,

On motion by Mr. Armstrong,

Indefinitely postponed.

No. 164. A bill to incorporate the Indiana Fire and Marine Insurance Company.

No. 166. A bill to incorporate the Indiana Monumental Association.

No. 174. A bill relative to the Western Plank Road Company, in Tippecanoe county.

No. 214. A bill in relation to the county surveyor of Putnam county.

No. 219. A bill to amend the general road law so far as the county of Putnam is concerned.

Were severally read a first time and passed to a second reading.

#### HOUSE BILLS ON THIRD READING.

No. 160. A bill for the more effectual, just, and equal assessment and valuation of the real estate, personal property, moneys, rights, credits, effects, and corporation stock in the State of Indiana ;

Was read a third time.

On motion,

The word "real estate," was stricken out of the provisions of the bill, by unanimous consent.

The question being,

"Shall the bill pass?"

The ayes and noes being demanded by Messrs. Carr and Watts,

*Those who voted in the affirmative were,*

Messrs. Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Cowan, Cox, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Elkins, Essex, Franklin, Graff, Hall, Hamilton, Harris, Harrison, Haywood, Hosbrook, Houghman, Hubbard, Jackson, Johnston, Jones, Jordan, Lank, Lawrence, Marquess, Marshall, McCarty, McClelland, McKim, McMakin, Millikan, Moore, Morgan, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Peckenpaugh, Pratt, Riley, Robbins, Ross, Simler, Stone, Swihart of Huntington, Thompson of Carroll, Thorn, Usher, Walls, Watson, Willard, Withers, and Wittenmeyer—59.

*Those who voted in the negative were,*

Messrs. Carr, Caylor, Chapman, Clark, Coburn, Crim, Fleece, Gentry, Goodwin, Hicks, Isom, Lewis, Lindsey, Marvin, Mercer, Morrow, Nelson, Painter, Phillips, Reynolds, Shook, Stayner, Schwartz, Swihart of Wabash, Watt, Watts, Wilson, and Mr. Speaker—28.

So the bill passed.

The title was amended by striking out "real estate."

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Graff,

The orders of the day were suspended,  
 And the following message from the Senate taken up:  
 A message from the Senate, by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate have adopted the following resolution, to-wit:

*Resolved*, That the Senate will, the House concurring therein, go into the election of two commissioners for the Indiana Hospital for the Insane, on Saturday next, at 2 o'clock, P. M.

In which the concurrence of the House is respectfully requested.  
 Which was concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate have adopted the following resolution, to-wit:

*Resolved*, That a committee of five be appointed on the part of the Senate, to act with a similar committee on the part of the House, to investigate the charges preferred against the Superintendent and other officers of the Indiana Hospital for the Insane, and that said committee have power to send for persons and papers, and to examine any such person brought before them under oath; and that Messrs. Athon, Eddy, Henton, Hunt, and Montgomery, have been appointed said committee, on the part of the Senate.

Which was concurred in, and the following committee appointed on the part of the House:

Messrs. Graff, Williamson, Crawford, Lewis, Hutchinson, and Hosbrook.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Usher,

The select committee appointed on yesterday, on the subject of the foregoing resolution, was excused from service.

No. 228. A bill providing for the annexation of Lamasco to Evansville;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

#### HOUSE BILLS ON SECOND READING.

No. 291. A bill to provide for defraying the expense of select-

ing the overflowed and swamp lands in the State of Indiana, and for other purposes;

Was read a second time.

Mr. Davis of Scott, moved to refer the bill to the committee on Swamp Lands, with the following instructions offered by Mr. Bradley.

Insert in the proper place—

Sec. —. That for the lands selected in those counties where actual survey was required and made, the several Surveyors shall be allowed and paid one cent per acre, for all lands by them so surveyed, reported and confirmed by the Register of the proper land office.

Sec. —. That the several Surveyors or other persons selecting lands, where no survey was required or made, shall be allowed and paid the sum of \$3 per day for every day they shall have been actually engaged in the discharge of their respective duties herein.

Sec. —. That the said sum of one cent per acre, as allowed, where actual survey has been made, shall cover all expenses for hands, assistants, teams, provisions, camp equipage, board and all platting or reports by the Surveyor made and done.

Which motion prevailed.

No. 327. A bill dispensing with complete records and regulating the fees of Clerks in Probate Courts in certain cases;

Was read a second time and ordered to be engrossed.

No. 328. A joint resolution concerning the sale of the Northern Division of the Central Canal;

Was read a second time.

On motion by Mr. Willard,

The bill was laid upon the table.

No. 330. A bill to repeal an act to regulate the retailing of spirituous liquors in the county of Kosciusko;

Was read a second time and ordered to be engrossed.

No. 333. A bill to extend the time of holding the sessions of the Board of County Commissioners of Warren county;

Was read a second time and ordered to be engrossed.

No. 335. A bill to change the mode of assessing the personal and real estate in Rush county;

Was read a second time.

On motion,

The bill was referred to the committee on Ways and Means.

No. 337. A bill to extend an act entitled an act to authorize the Sheriff of Lawrence county to serve process issued by Justices of the Peace in certain cases in the county of Owen;

Was read a second and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

## SENATE BILLS ON SECOND READING.

No. 81. A bill to repeal an act therein named, relative to the election of county Prosecutors;

Was read a second time.

On motion,

The rule was suspended and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 106. A bill to amend an act entitled an act to protect from waste certain lands therein named, approved December 13, 1849;

Was read a second time and ordered to a third reading.

No. 185. A bill to locate a State road from Dover Hill, in Martin county, to Bloomington, in Monroe county;

Was read a second and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

No. 135. A bill to amend section two of an act entitled an act to amend the laws relating to execution of deeds by order of the Probate Court, approved January 15, 1849;

Was read a second time.

On motion,

Was referred to the committee on the Judiciary.

No. 143. A bill to incorporate a gaslight company in the city of Madison;

No. 200. A bill to amend the charter of the Madison and Brownstown Turnpike Company;

Were each read a second time and ordered to a third reading.

No. 152. A bill defining the duties of Auditor and Treasurer of DeKalb, Steuben and Noble, and for other purposes;

No. 158. A bill to prevent Clerks and Sheriffs from purchasing judgments in the court to which they act as Clerk or Sheriff;

Were each read a second time and ordered to a third reading.

No. 188. A bill to amend an act entitled an act to incorporate the Moors' Hill and Aurora Turnpike Company, approved February 15, 1848:

Was read a second time.

On motion by Mr. Dumont,

"Hogan" was substituted for "Hagan," where it occurs in the bill.

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 189. A bill for the relief of Barbara Elder, of the county of Marion;

No. 197. A bill to repeal an act therein named;

No. 205. A bill to change the name of Levi Gear to that of Levi Frash;



No. 208. A bill to incorporate the Danville and White Lick Plank Road Company;

Were severally read a second time and ordered to a third reading.

No. 209. A bill for the relief of Hezekiah A. Sutton, of Jackson county;

Was read a second time.

On motion by Mr. Hamilton,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

#### HOUSE BILLS ON THIRD READING.

No. 125. A bill to enable persons sustaining damages occasioned by the construction of the Wabash and Erie canal to have their damages assessed without further delay, and for the more convenient service of process on the Trustees of said canal;

No. 301. A bill to authorize the construction of a milldam across the Tippecanoe river, in White county;

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 294. A bill to repeal an act therein named;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 314. A bill to change the time of holding circuit courts in the 3d and 13th judicial circuits;

Was read a third time.

Mr. Ross moved to refer to a select committee with the following instructions:

To amend by striking out section two of the bill.

Which motion did not prevail.

Mr. Dumont moved to amend by striking out the "3d judicial circuit."

Which motion prevailed.

The question being on the passage of the bill,

Was decided in the affirmative.

On motion,

The title was amended by striking out the "3d judicial circuit."

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Bird,

The vote on the passage of bill No. 294 was reconsidered.

The question then being, Shall the bill pass?

Was decided in the affirmative.

Ordered that the Clerk inform the Senate thereof.

No. 287. A bill to locate a State road from Bennettsville, in Clark county, to Salem, in Washington county;

No. 316. A bill to authorize the Superintendent of common schools to publish and distribute the school law of 1849.

No. 309. A bill to fix the compensation of Clerks of the circuit court in cases of naturalization in the 12th judicial circuit;

No. 293. A bill to incorporate the Albion and Lisbon Turnpike Company;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

Mr. Willard, chairman of the committee on Ways and Means, made the following report:

MR. SPEAKER:

The committee on Ways and Means, to whom was referred House bill No. 335, have had the same under consideration, and instructed me to report the same back and recommend its indefinite postponement, and further instructed me to report the accompanying bill and recommend its passage.

Which was concurred in.

No. 385. A bill providing for the election of Township Assessors in Rush county.

Was read three several times the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

#### SENATE BILLS ON THIRD READING.

No. 53. A bill to amend sections 54 and 55, article 5, of the Revised Statutes of 1843, so far as relates to the county of Miami;

No. 75. A bill to amend an act entitled "an act to incorporate the Bedford Insurance Company," approved Feb. 8, 1836;

No. 76. A bill to amend the charter of the Madison Insurance Company;

No. 119. A bill to incorporate the Goshen and Plymouth Plank Road Company;

No. 123. A bill to incorporate the New Trenton and Southgate Bridge and Road Company;

No. 124. A bill to amend the act to incorporate the Brookville and Connersville Turnpike Company;

No. 137. A bill to relocate a State road in DeKalb county;

No. 144. A bill to amend an act entitled "an act to incorporate the Connersville and Brownsville Turnpike Company," approved 16th January, 1849;

No. 153. A bill to incorporate the Evansville Hotel Company;

No. 155. A bill to amend an act entitled "an act to incorporate the Wayne County Turnpike Company," approved Dec. 5, 1848;

No. 175. A bill to amend an act entitled "an act to incorporate the Lafayette Plank Road Company," approved Jan. 3, 1849;

No. 176. A bill declaring certain laws in force in the counties of DeKalb, Noble, and Steuben;

No. 178. A bill to prevent the consolidation of indictments in certain cases in Dearborn county;

No. 183. A bill declaring a part of Poison Creek, in Perry county, a public highway;

No. 186. A joint resolution in relation to the "World's Fair;"

No. 191. A bill to amend an act entitled "an act to incorporate the town of Clinton, in Vermillion county," approved Feb. 14, 1848;

No. 193. A bill to fix a tax on a Museum in Lafayette;

No. 194. A bill legalizing an order for the publication of the Delinquent List for the year 1850, in DeKalb county;

No. 195. A bill in relation to streets and alleys in the town of Lexington, in Scott county;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

#### HOUSE BILLS ON SECOND READING.

No. 340. A bill to change the time of holding Probate Courts in the county of Jasper,

Was read a second time,

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 343. A bill to amend the several acts now in force in relation to widows,

Was read a second time, and,

On motion by Mr. Williamson,

Referred to the committee on the Judiciary.

No. 344. A bill to authorize the Treasurer of Laporte county to charge a per centage on road tax receipts,

Was read a second time.

On motion,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 348. A bill allowing mileage to witnesses in civil cases,

Was read a second time, and,

On motion by Mr. Patterson of Tippecanoe,

Referred to the committee on the Judiciary.

#### SENATE BILLS ON SECOND READING.

No. 126. A bill to amend an act entitled "an act to incorporate

the Rushville and Muncietown Railroad Company," approved January 26, 1850,

Was read a second time.

Mr. Riley moved to indefinitely postpone the bill.

The ayes and noes being demanded by two members,

The gentleman from Marion (Mr. Coburn) being called to vote, arose and was making some remarks in explanation, when,

The gentleman from Shelby (Mr. Brown) called the gentleman from Marion to order.

The Speaker having decided "that on a motion to indefinitely postpone a bill, the ayes and noes having been moved and seconded, and the clerk proceeded with the call by calling several members, any member had a right, when his name was called, to discuss the general merits of the bill, and in that case the clerk should commence the call anew,"

The member from Jefferson (Mr. Chapman) appealed from this decision of the Chair.

The question being, "Shall the decision of the Chair be the decision of the House?"

Was decided in the affirmative.

*Those who voted in the affirmative were,*

Messrs. Coburn, Conner, Cox, Fleece, Hall, Hammond, Haywood, Hicks, Hosbrook, Houghman, Jackson, Johnston, Lindsey, Marquess, Marvin, McCarty, McClelland, Nelson, Pratt, Reynolds, Riley, Robbins, Stayner, Stone, Swihart of Huntington, Thompson of Carroll, Watt, Williamson, and Withers—29.

*Those who voted in the negative were,*

Messrs. Armstrong, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Carr, Chapman, Clark, Cowan, Crawford, Davis of Scott, Donaldson, Edwards, Elkins, Essex, Franklin, Gentry, Goodwin of Daviess, Graff, Hamilton, Harris, Harrison, Hubbard, Hutchinson, Jordan, Lank, Lawrence, Lewis, Marshall, McKim, McMakin, Mercer, Millikan, Moore, Morgan, Morrow, Painter, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Peckenpaugh, Ross, Shook, Shull, Simler, Schwartz, Swihart of Wabash, Thorn, Usher, Walls, Watson, Watts, Willard, and Mr. Speaker—56.

So the bill was not indefinitely postponed.

Mr. Usher moved to commit the bill to the committee on the Judiciary, with instructions to inquire into the power of repealing the law contemplated to be repealed by the bill.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Clark, Coburn, Conner, Cox, Edwards, Fleece, Harris, Haywood, Hicks, Hosbrook, Houghman, Johnston, Lank, Lawrence, Lindsey, Marquess, Marshall, Marvin, McCarty, McClelland, McMakin, Morrow, Nelson, Peckenpaugh, Pratt, Riley, Robbins, Stayner, Stone, Swihart of Huntington, Thompson of Carroll, Usher, Watt, Wilson, and Withers—35.

*Those who voted in the negative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Carr, Chapman, Cowan, Crawford, Davis of Scott, Donaldson, Elkins, Essex, Franklin, Gentry, Goodwin, Graff, Hall, Hamilton, Harrison, Hubbard, Hutchinson, Isom, Jones, Jordan, McKim, Mercer, Moore, Morgan, Painter, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Shook, Shull, Simler, Schwartz, Swihart of Wabash, Thorn, Walls, Watson, Watts, Willard, and Mr. Speaker—47.

So the bill was not so committed.

The question then recurring upon ordering the bill to a third reading, was decided in the affirmative.

On motion by Mr. Edwards,

The vote on the passage of Senate bill

No. 177. A bill authorizing the Western Plank Road Company to issue and sell bonds,

Was reconsidered.

The question then being, shall the bill pass?

On motion,

The bill was laid on the table.

On motion,

The order of business was suspended.

Mr. Usher, chairman of the committee on Claims, made the following report:

**MR. SPEAKER:**

The committee on Claims, to whom was referred the House bill No. 320, have had the same under consideration, and taken evidence thereon, from which it appears that there was a mistake in the settlement with George H. Dunn, late Treasurer of this State, and that he is entitled to relief. Your committee report the bill back with an amendment, and recommend that the same be adopted and the bill passed.

Which report was concurred in, and the bill ordered to be engrossed.

On motion,

The order of business was suspended.

Mr. Willard introduced

No. 386. A joint resolution directing the State Librarian to allow the ladies of the committee on the Owen testimonial the use of the Hall of the House of Representatives;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended.

Mr. Davis of Scott, from a select committee, made the following report:

MR. SPEAKER:

The committee to whom was referred bill of the House No. 291, have had the same under consideration and direct me to report the same back to the House with the following amendment, and recommend its passage:

Add to the first section,

*Provided, however,* That if the State revenue in the counties of Jasper, Pulaski, and Starke respectively, shall not be sufficient to meet such allowances, then the deficit shall be paid out of the State Treasury, upon the certificate of the Auditors of said counties respectively.

SEC. 5. That for the lands selected in those counties where actual survey was required and made, the several surveyors shall be allowed and paid one cent per acre for all lands by them so surveyed, reported and confirmed by the Register of the proper land office.

SEC. 6. That the several surveyors or other persons selecting lands where no survey was required or made, shall be allowed and paid the sum of three dollars per day for every day they shall be actually engaged in the discharge of their respective duties herein.

SEC. 7. That the said sum of one cent per acre, as allowed where actual survey has been made shall cover all expenses for hands, assistants, teams, provisions, camp equipage, board, and all platting or reports by the surveyor made and done.

SEC. 8. It shall be lawful for any person to enter any of said surveyed lands by depositing with the Treasurer of State the sum of one dollar and twenty-five cents per acre for the lands proposed to be entered, who shall give said person a receipt therefor, and upon presenting and filing the same with the Auditor, it shall be the duty of the Auditor to give said person a certificate that the money has been paid for the land, describing it; which shall entitle the person to a deed therefor, which shall be made out by the Secretary of State, signed by the Governor, and under the seal of the State of Indiana: *Provided,* That the said entry shall not be for a less quantity than 160 acres, and shall be of the proper Congressional survey.

Which report was concurred in.

On motion,

The order of business was suspended.

Mr. Hamilton introduced

No. 387. A bill for the relief of John J. Cummins ;

Which was read a first time.

On motion,

The rule was suspended, the bill read a second time and referred to the committee on Ways and Means.

On motion,

The order of business was suspended.

Mr. Watts introduced

No. 388. A bill to authorize the city of Madison to borrow money ;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended.

Mr. Chapman introduced

No. 389. A bill to incorporate the German Union Support Society of Jefferson county ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

Mr. Gentry presented the petition of Silas Rader, asking a divorce from his wife ;

Which,

On motion,

Was referred to the committee on Military Affairs.

On motion by Mr. Gentry,

Messrs. Dumont, Edwards, and Hammond were added to the committee on Military Affairs.

On motion,

The order of business was suspended.

Mr. Shull introduced

No. 390. A bill describing the boundaries of the county of Blackford ;

Which was read a first time and passed to a second reading.

On motion by Mr. McClelland,

The House adjourned to meet to-morrow morning at half-past 8 o'clock.

THURSDAY MORNING, February 6, 1851.

House met.

The Journal of the preceding day was partly read,  
When,

On motion by Mr. Davis of Scott,  
The further reading of the Journal was dispensed with.  
A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed to inform the House of Representatives that the Senate have passed the following engrossed bills of the House without amendment:

No. 62. An act to abolish the office of Superintendent of the work on the State Prison, and for other purposes.

No. 135. An act to incorporate the Mullikin Mill and Junction Plank, or Clay Turnpike Road Company.

No. 141. An act to amend an act to incorporate the Logansport and Rochester Michigan Road Company, approved January 15, 1846.

No. 168. An act to authorize the Lafayette Insurance Company to increase their capital stock.

No. 186. An act defining the boundary of Laporte, Porter, and Lake counties.

No. 193. An act to authorize the election of a county surveyor in Greene county.

No. 213. An act to incorporate the Central Plank Road Company of Vanderburg county.

No. 233. An act for the relief of the heirs of Elizabeth Blatner, late of Dearborn county, Indiana, but now deceased.

No. 239. An act to give County Treasurers till the first of April, 1851, to make settlements with the Auditor of State.

No. 252. An act to repeal the first 13 sections of chapter 50, of the Revised Code of 1843, so far as relates to the counties of Scott and Greene.

No. 245. An act to amend the general road law, approved Jan. 16, 1849, so far as the same relates to the county of Cass.

No. 250. An act to authorize the inhabitants of school district No. 2, in town No. 36, range 3 west, in Laporte county, to levy an additional school tax.

No. 254. An act for the sale of the public square of Evansville and the application of its proceeds to the erection of new county buildings for Vanderburgh county.



No. 255. An act to incorporate a fire engine company at North Madison.

No. 258. An act to extend the powers of the board of commissioners of Delaware county.

No. 259. An act to amend an act regulating the time of holding Probate Courts in the county of Tipton.

No. 260. An act to incorporate the Newbury and Vanderburg Railroad Company.

No. 269. An act to incorporate the Madison Medical Society at Madison, in Jefferson county.

No. 270. An act for the relief of Thomas Decimus, Sophia Whiteworth, William Whall, John Whall, and Robert Whall.

No. 271. An act limiting the jurisdiction of the Corporation of the town of South Bend, in the county of St. Joseph.

No. 282. An act granting further powers to the township of Lawrenceburg, in the county of Dearborn, in the State of Indiana.

No. 304. An act to incorporate the Montpelier and Matamoras Plank Road Company.

No. 308. An act to amend an act entitled an act to prohibit the sale of spiritous liquors in Adams Creek and Anderson townships, in Madison county, by a less quantity than thirty gallons, approved January 17, 1849.

No. 357. An act to vacate a part of Gillmore's addition to the village of Angola, in Steuben county.

No. 370. An act to amend an act entitled an act to incorporate the German Theological Seminary, of the German Evangelical Lutheran Synod of Missouri, Ohio, and other States.

Mr. Franklin moved to take House bill No. 289, a bill to apportion the Senators and Representatives amongst the counties of the State from the table.

Which motion did not prevail.

On motion,

The order of business was suspended.

On motion by Mr. Watts,

*Resolved*, That the committee appointed by this House to act in conjunction with the Senate committee to investigate charges preferred against the superintendent and other officers of the Insane Hospital be directed to advise all persons summoned by a former committee to appear before said committee at three o'clock this evening. That said former committee is superceded by the appointment of a subsequent committee, and thereby discharged from the further consideration of the subject.

#### PETITIONS, MEMORIALS, &C.

By Mr. Jackson ;

A petition for a State road in Tipton and Clinton counties,

Which,

On motion,

Was referred to a select committee, consisting of Messrs Jackson, McClelland, and Hosbrook.

By Mr. Watts;

The petition of William Burt,

Which,

On motion,

Was referred to a select committee consisting of Messrs. Walls, Hutchinson, and Lewis.

By Mr. Brown of Pike;

The petition of the citizens of Pike county concerning Patoka river;

Which,

On motion,

Was referred to a select committee consisting of Messrs Brown of Pike, Graff, and Fleece.

By Mr. Lawrence;

The petition of the citizens of Dublin, in Wayne county;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Lawrence, Bulla, and Marshall.

By Mr. Marquess;

The petition of sundry citizens of Fountain county on the subject of the charter of the the Central Plank Road Company, requesting that their charter be forfeited;

Which,

On motion,

Was referred to the committee on the Judiciary.

On motion,

The order of business was suspended.

On motion by Mr. Marquess,

*Resolved*, Whereas there has been a petition presented to this House, asking a repeal of the charter of the Central Plank Road Company, alleging a violation of said charter, by said company charging and receiving an over rate of toll; therefore the said committee to whom said petition is referred, be authorized and instructed to call in persons and papers, and examine them under oath or otherwise, touching the facts in the case, and report accordingly, by bill or otherwise.

By Mr. Harrison;

Two petitions of the citizens of Lake county, in regard to amending the charter of the Southern Michigan Railroad Company;

Which,

On motion,

Were referred to the committee on Corporations.

By Mr. Millikan;

The petition of the citizens of Laporte county, in regard to the Modification of railroad charters;

Which,

On motion,

Was referred to the committee on Corporations.

#### REPORTS FROM COMMITTEES.

Mr. Edwards from the committee on the Judiciary made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, who were instructed to report a bill giving to sub-contractors building or working on steamboats, the same lien for their services on such boats which they may have for building houses, have, according to such instruction, directed me to report the following bill and recommend the passage thereof:

No. 391. A bill to extend the provisions of article No. one, of chapter No. 42, of the Revised Statutes of 1843.

Was read a first time, and passed to a second reading.

Mr. Bradley, from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred so much of the Governor's message as refers to the jurisdiction of Justices of the Peace in criminal cases, have had the same under consideration, and are of the opinion that any legislation upon the subject at this time would be inexpedient. Said committee therefore respectfully ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Watt, chairman of the committee on Roads, made the following report:

**MR. SPEAKER:**

The committee on Roads, to whom was referred the petition of sundry citizens of Huntington and Whitley counties, asking for the repeal of an act passed February 14, 1850, providing for the construction of certain plank roads therein named, have had the same under consideration, and instructed me to report the following bill,

and ask to be discharged from the further consideration of the subject :

No. 393. A bill to repeal a plank road law of Huntington and Whitley counties.

Was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Watt, chairman of the committee on Roads, made the following report :

MR. SPEAKER :

The committee on Roads, to whom was referred the petition of sundry citizens of Perry county, asking for the location of a State road leading from Troy, Perry county, to Greencastle, in Putnam county; also, for an appropriation sufficient to construct bridges over Patoka and Lost rivers, have had the same under consideration, and directed me to report it inexpedient to legislate thereon, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Watt, chairman of the committee on Roads, made the following report :

MR. SPEAKER :

The committee on Roads, to whom was referred the petition of Joseph Foster and others, for a State road in the county of Warren; and also the remonstrance of citizens of the same county against said road, have had the same under consideration, and directed me to report that, in the opinion of the committee, it is inexpedient to grant the prayer of said petitioners, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Brown of Shelby, chairman of the committee on Agriculture, made the following report :

MR. SPEAKER :

The committee on Agriculture, to whom was referred Senate bill, No. 149, an act for the encouragement of agriculture, have had that subject under consideration, and directed me to report the same back to the House and ask to be discharged from further consideration of said bill.

The bill was ordered to a third reading.

Mr. Swihart of Wabash, from the committee on Agriculture, made the following report :

**MR. SPEAKER :**

The committee on Agriculture, to whom was referred House bill, No. 197, a bill to regulate the taking of toll at water gristmills, have had the same under consideration, and have recommended the indefinite postponement of the bill.

Which was concurred in.

Mr. Bradley, chairman of the committee on Corporations, made the following report :

**MR. SPEAKER :**

The committee on Corporations, to whom was referred bill No. 363, a bill to extend the Terre Haute and Alton railroad, have had the same under consideration, and have instructed me to report the same back to the House, without amendment, and respectfully recommend its passage.

The bill was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Donaldson, from the committee on Corporations, made the following report :

**MR. SPEAKER :**

The committee on Corporations, to whom was referred House bill No. 347, an act to authorize the draining of wet lands in Miami county, have had the same under consideration, and have directed me to report the same back with the following amendment, and when adopted, to recommend its passage :

Amend by adding in the proper place, the counties of Allen, Huntington and St. Joseph.

Which was concurred in.

On motion,

The rule was suspended, the bill read a third time and passed.

On motion,

The title was amended agreeable to the provisions of the bill.

Ordered that the Clerk inform the Senate thereof.

Mr. Bradley, chairman of the committee on Corporations, made the following report :

**MR. SPEAKER :**

The committee on Corporations, to whom was referred Senate bill No. 184, "an act to incorporate the Belleville Branch Road Company," have had the same under consideration and directed me to report the same back to the House and recommend its passage.

On motion by Mr. Edwards,

The bill was referred to a select committee consisting of Messrs. Edwards, Usher, and Fleece.

Mr. Bradley, chairman of the committee on Corporations, made the following report :

**MR. SPEAKER :**

The committee on Corporations, to whom was referred Senate bill No. 50, an act to incorporate the Liberty and Miami Railroad Company, have had the same under consideration and directed me to report the same back to the House and recommend its passage.

Which was concurred in and the bill ordered to a third reading.

On motion by Mr. Hammond,

The order of business was suspended, and,

Mr. Hammond introduced,

No. 394. A bill legalizing the sale of the school section in township 11, north of range 1 east, in Morgan county ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Marvin, from a select committee, made the following report :

**MR. SPEAKER :**

The committee to whom was referred the petition and remonstrance of citizens of Marion and Boone counties, for and against a State road, have had the same under consideration and have authorized me to report the following bill and recommend its passage :

No. 395. A bill to locate a State road in the counties of Marion and Boone ;

Which was read three several times, the rule being suspended, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Patterson of Marshall, from a select committee made the following report :

**MR. SPEAKER :**

The select committee, to whom was referred the petition of sun-

dry citizens of Marshall county, asking the passage of a law for the formation of a certain school district in said county, have had the same under consideration, and have instructed me to report the accompanying bill and respectfully to recommend its passage.

No. 396. A bill to create a school district in Marshall county ; Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Moore, from a select committee, made the following report :

**MR. SPEAKER :**

The select committee, to whom was referred the petition of the citizens of Congressional Township No. 8, north of range 5 east, in the county of Bartholomew, have had the same under consideration and instructed me to report the following bill and respectfully recommend its passage :

No. 397. A bill authorizing the sale of section 16, in township, No. 8, north of range 5 east, in the county of Bartholomew ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Ross from a select committee, made the following report :

**MR. SPEAKER :**

The select committee, to whom was referred House bill No. 372, entitled "an act providing for the election of three Commissioners in township No. 12, north of range 11 east, situated in the counties of Franklin, Rush, and Decatur, have had the same under consideration and have directed me to report the same back without amendment and recommend its passage :

On motion,

The rule was suspended, the bill was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

On motion by Mr. Swihart,

*Resolved*, That the use of this Hall is hereby granted to Benjamin Satterthwaite, of Republican Grove, Huntington county, Indiana, on "First day" next, at 10 o'clock, who desires to address his fellow citizens upon the subject of a new era at hand, in the history of the world.

Mr. McCarty from a select committee, made the following report :

**MR. SPEAKER :**

The select committee, to whom was referred the Temperance Memorials, have had the same under consideration and have directed me to report the following bill and recommend its passage :

No. 398. A bill to more effectually prevent the sale of spirituous liquors ;

Was read a first time and passed to a second reading.

Mr. Lank from a select committee, made the following report :

**MR. SPEAKER :**

The select committee, to whom was referred the petition of citizens of Randolph and Delaware counties, for the relief of Samuel Shimer of Randolph county, have considered the same and instructed me to report the accompanying bill and recommend its passage :

No. 399. A bill for the relief of Samuel Shimer and other purchasers of school lands in Randolph and Delaware counties ;

Was read three several times, the rules being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Johnston, from a select committee, made the following report:

**MR. SPEAKER :**

The select committee, to whom was referred the petition of sundry citizens of the county of Putnam, praying the repeal of a certain act therein named, have had the same under consideration, and have directed me to report the following bill, and recommend its passage :

No. 400. A bill to repeal an act entitled "an act regulating the salary of the Auditor of Putnam county."

Was read three several times, the rules being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Blue, from a select committee, made the following report :

**MR. SPEAKER :**

The select committee, to whom was referred the petition of sundry citizens of school district No. 4, township 32, north of range 6 east, in Kosciusko county, asking for a special law authorizing the levying of tax to build a school house, have had the same under consideration, and have directed me to report that it is inexpedient to legislate on the subject, and ask to be discharged from the further consideration of the subject.

Which was concurred in.



Mr. Bradley, chairman of the committee on Corporations, made the following report :

MR. SPEAKER :

The committee on Corporations, to whom was referred bill No. 323, "a bill to amend the charter of the Lafayette and Indianapolis Railroad Company," have had the same under consideration, and have instructed me to report the same back to the House and to recommend its indefinite postponement.

Which was concurred in.

Mr. Armstrong, chairman of the committee on Elections, made the following report :

MR. SPEAKER :

The standing committee on Elections, to whom was referred the petition of sundry citizens of Marion county, praying the passage of a law authorizing the establishment of an additional place of holding elections in Wayne township, in said county, have had the same under consideration, and directed me to report the following bill and recommend its passage :

No. 401. A bill to establish additional places of holding elections in certain counties therein named.

Was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Hicks, from a select committee, made the following report :

MR. SPEAKER :

The select committee, to which was referred the petition of citizens of Blue River township, Johnson county, asking for a repeal of an act entitled "an act to prohibit the sale of intoxicating drinks in Blue River township, Johnson county, approved January 21, 1850," have duly considered the same, and directed me to report said petition back to the House with the following bill, and recommend the passage thereof ; and the committee ask to be discharged from the further consideration of the subject :

No. 402. A bill to repeal the act entitled "an act to prohibit the sale of intoxicating drinks in Blue River township, Johnson county.

Was read three several times, the rule being suspended therefor and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The appeal from the decision of the Chair, by Mr. Chapman, on yesterday, was ordered to be placed upon the Journal of that day.

Mr. Johnston, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee, to whom was referred the petition of sundry citizens of the county of Putnam, praying the passage of an act of the Legislature to prohibit seining in Deer creek, in said county, have had the same under consideration, and have directed me to report that it is inexpedient to legislate on the subject, and recommend that the petition be laid on the table.

Which was concurred in.

#### BILLS &C., INTRODUCED.

By Mr. Edwards;

No. 403. A joint resolution for the relief of Captain William Waldo;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

Mr. Hammond, from the committee on Ways and Means made the following report:

**MR. SPEAKER:**

The committee on Ways and Means, to whom was referred House bill No. 387, have had the same under consideration, and directed me to report the same back and recommend its passage.

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Pratt;

No. 404. A bill amendatory to the several acts relating to the city of Logansport, approved January 13, 1845, and January 14, 1848.

By Mr. Chapman;

No. 405. A bill to incorporate the Madison and Vevay Plank Road Company.

By Mr. Patterson of Tippecanoe;

No. 406. A bill to prevent attorneys from doing the duties of Sheriff in Tippecanoe county;

Which were severally read three times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Willard;

No. 407. A bill to authorize the Governor of the State to pay the taxes on the Georgia Lands, and for other purposes;

Which was read a first time and passed to a second reading.

By Mr. Morgan;

No. 408. A bill to extend the February and October terms of the Marion Circuit Court;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Bulla;

No. 409. A bill to confer additional powers upon the Superintendents of County Asylums;

Which was read a first time and passed to a second reading.

By Mr. Humphreys;

No. 410. A bill to repeal an act establishing additional places of holding elections in certain counties therein named, approved Dec. 21, 1849, so far as the county of Greene is concerned;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Jackson;

No. 411. A bill to authorize the board doing county business in Tipton county, to change the burial ground for the town of Tipton;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Jones;

No. 412. A bill for the relief of purchasers of school lands in the county of Lagrange;

Which was read a first time.

On motion,

The rule was suspended, and the bill read a second time and referred to a select committee consisting of Messrs. Jones, Stayner, Pancake, Blue, and Elkins.

By Mr. Bird;

No. 413. A bill to amend an act therein named;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Morgan:

No. 414. A bill for the relief of the heirs of Thomas Berry, deceased,

Which was read a first and second times, the rule being suspended therefor, and referred to the committee on the Judiciary.

By Mr. Harrison :

No. 415. A bill to amend an act entitled "an act supplementary to an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville," approved January 19th, 1846, approved January 27th, 1847,

Which was read a first time and passed to a second reading.

By Mr. Coburn :

No. 416. A bill in reference to proceedings upon *scire facias*.

Which was read a first time.

On motion,

The rule was suspended and the bill read a second time and referred to the committee on the Judiciary.

No. 417. A bill for the compensation of County Treasurers for expense and trouble in the pre-payment of revenue;

Which was read a first and second times, the rule being suspended therefor, and ordered to be engrossed.

By Mr. Bird :

No. 418. A bill to legalize the tax sales made by the Mayor of the city of Fort Wayne, Allen county, Indiana ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

#### ORDERS OF THE DAY.

Mr. Hammond moved to suspend the order of business and take from the table Senate bill

No. 172. A bill to apportion the Senators and Representatives amongst the counties of this State.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Brown of Pike, Brown of Shelby, Carr, Chapman, Clark, Cowan, Crawford, Crim, Davis of Dubois, Davis of Scott, Elkins, Fleece, Gentry, Goodwin, Graff, Hamilton, Hammond, Harris, Haywood, Hicks, Hubbard, Isom, Johnston, Jones, Jordan, Lank, Lindsey, Marquess, McCarty, McClelland, McKim, McMakin, Painter, Pancake, Patterson of Tippecanoe, Peckenpaugh, Riley, Ross, Shook, Shull, Simler, Stayner, Stone, Schwartz, Thompson of Carroll, Walls, Watson, Willard, Williamson, Withers, and Wittenmeyer—52.

*Those who voted in the negative were,*

Messrs. Bird, Bradley, Bulla, Conner, Cox, Donaldson, Edwards, Essex, Franklin, Hall, Harrison, Houghman, Hutchinson, Jackson,

Marshall, Marvin, Mercer, Millikan, Moore, Morgan, Morrow, Nelson, Patterson of Marshall, Phillips, Pratt, Reynolds, Robbins, Swihart of Wabash, Thorn, Usher, Watt, and Watts—33.

So the order of business was not suspended.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate adheres to their disagreement to the engrossed amendment of the House to engrossed bill of the Senate entitled

No. 103. A bill to authorize the Governor, Auditor and Treasurer of State to borrow money to pay the interest due on the funded debt, on the first day of July next, and defray the expenses of the Constitutional Convention.

The question being, "Shall the House adhere to its amendment?"  
The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Blue, Brown of Shelby, Bulla, Chapman, Conner, Cox, Crawford, Crim, Edwards, Fleece, Franklin, Gentry, Goodwin, Hammond, Haywood, Hosbrook, Hubbard, Isom, Jackson, Johnston, Jones, Jordan, Lawrence, Lindsey, Marshall, Marvin, McCarty, McKim, McMakin, Moore, Morrow, Nelson, Painter, Patterson of Tippecanoe, Peckenpaugh, Pratt, Riley, Robbins, Shook, Simler, Swihart of Huntington, Usher, Watson, Watt, Watts, and Williamson—46.

*Those who voted in the negative were,*

Messrs. Armstrong, Benson, Bird, Bradley, Brown of Pike, Carr, Clark, Coburn, Cowan, Davis of Dubois, Davis of Scott, Donaldson, Elkins, Essex, Graff, Hall, Hamilton, Harris, Harrison, Hicks, Houghman, Hutchinson, Lank, McClelland, Mercer, Morgan, Pancake, Patterson of Marshall, Phillips, Reynolds, Ross, Stayner, Stone, Schwartz, Swihart of Wabash, Thompson of Carroll, Thorn, Walls, Willard, Withers, and Wittenmeyer—41.

So the House adhered to its amendment.

On motion by Mr. Brown of Shelby,

A committee of free conference on the part of the House, was appointed, consisting of Messrs. Brown of Shelby and Usher.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the amendment of the House to the amendment of the Senate to the resolution of the House fixing the day for the final adjournment of the two Houses of the present General Assembly.

A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendment of the House to engrossed bill of the Senate:

No. 83. An act to incorporate the Covington and Danville Plank Road Company.

A message from the Senate by Mr. Emerson their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills of the House, with sundry amendments:

No. 268. An act to establish a free turnpike road;

No. 311. An act to incorporate the congregation of the German Evangelical Lutheran St. Paul's Church, in the city of Fort Wayne, in Allen county;

In which the concurrence of the House is respectfully requested.

Which amendments were concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills of the House with sundry amendments:

No. 86. An act authorizing Cyrus Taber and Allen Hamilton to build a dam across the Wabash river, in Cass county;

No. 107. An act relative to Prosecuting Attorneys;

No. 152. An act to amend an act entitled "an act to incorporate the Lake Michigan, Logansport and Ohio River Railroad Company," enacted by the General Assembly in February, 1848;

No. 180. An act to repeal a certain act therein named so far as it relates to Grant county, and to revive certain other acts;

No. 204. An act to incorporate the Washington and Maysville Plank Road Company;

No. 274. An act to incorporate the Indianapolis Gas Light and Coke Company;

No. 280. An act to regulate the issuing of executions and fee bills in the several courts in the counties of Marion, Dearborn, and Daviess, upon which no execution has issued for three years from the rendition thereof, and when fees have not been collected for three years from the termination of the suit in which the same is taxed;

No. 345. An act defining the duties of the Surveyor of Morgan county;

In which amendments the concurrence of the House is respectfully requested.

The amendments of the Senate to bills,

Nos. 280, 274, 152, 86, 204, and 245 in the foregoing message, Were concurred in.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Ross,

The bill and amendments of the Senate to No. 107, in the foregoing message,

Were laid upon the table.

On motion by Mr. Morrow,

The bill and amendments of the Senate to No. 180, in the foregoing message,

Were laid upon the table.

On motion of Mr. Patterson of Tippecanoe,

The order of business was suspended, and Senate bill No. 29, was taken up.

The amendments of the Senate were concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, and joint resolution:

No. 148. An act in relation to the payment of the accounts made by the Constitutional Convention of this State, and for other purposes;

No. 222. An act for the relief of John H. Cutter, surviving partner of B. G. Cutter & Co.;

No. 223. An act to authorize certain school districts in Adams county to draw their proportion of the common school fund;

No. 228. An act to incorporate the Peru Hotel Company;

No. 238. An act to authorize the Circuit Courts to certify certain Chancery causes to the Supreme Court;

No. 247. An act for the relief of Michael Grannin, jr., of Daviess county;

No. 256. An act in relation to bills of exception;

No. 257. An act fixing the per diem pay of the members of the Legislature;

No. 259. An act for the benefit of the Edinburgh and Western Plank Road Company;

No. 262. An act to legalize certain acts of County Auditors;  
In which the concurrence of the House is respectfully requested.

Nos. 148, 222, and 223, contained in the foregoing message,  
Were severally read a first time and passed to a second reading.

No. 228, in the foregoing message,  
Was read a first time.

On motion by Mr. Donaldson,

The rule was suspended, the bill read a second and third times and passed.

Ordered that the Clerk inform the Senate thereof.

No. 238 and 247, in the foregoing message,

Were each read a first time and passed to a second reading.

No. 256. A bill in relation to bills of exception;

Was read a first and second times, the rule being suspended therefor, and referred to the committee on the judiciary;

No. 257. A bill fixing the per diem pay of the members of the Legislature;

Was read a first time.

On motion,

The rule was suspended and the bill read a second time.

Mr. Patterson of Tippecanoe, moved to amend—

“*Provided, however, this act shall not take effect unless the new Constitution should be adopted.*”

Mr. Gentry moved to lay the bill and pending amendments upon the table.

The ayes and noes being demanded by Messrs. Ross and Chapman,

*Those who voted in the affirmative were,*

Messrs. Benson, Brown of Pike, Brown of Shelby, Bulla, Carr, Caylor, Conner, Essex, Franklin, Gentry, Hamilton, Haywood, Johnston, Lank, Lawrence, Lewis, Lindsey, Marshall, Marvin, McCarty, McKim, McMakin, Nelson, Peckenpaugh, Reynolds, Riley, Robbins, Shook, Shull, Schwartz, Usher, Walls, Watson, Watt, and Williamson—35.

*Those who voted in the negative were,*

Messrs. Armstrong, Blue, Bradley, Chapman, Clark, Cowan, Cox, Crawford, Davis of Dubois, Davis of Scott, Donaldson, Edwards,



Elkins, Fleece, Goodwin, Graff, Hall, Harris, Harrison, Hicks, Hosbrook, Houghman, Hubbard, Hutchinson, Isom, Jackson, Jones, Jordan, Marquess, McClelland, Mercer, Millikan, Moore, Morgan, Painter, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Phillips, Pratt, Ross, Simler, Stayner, Stone, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thorn, Watts, Willard, Withers, and Wittenmeyer—51.

So the bill and amendments were not laid upon the table.  
The question recurring on the adoption of the amendment  
Was decided in the negative.

The question then being,

"Shall the bill be ordered to a third reading?"

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Blue, Bradley, Chapman, Clark, Cowan, Cox, Crawford, Davis of Dubois, Davis of Scott, Donaldson, Elkins, Goodwin, Graff, Hall, Harris, Harrison, Hicks, Hosbrook, Hubbard, Hutchinson, Isom, Jackson, Jones, Jordan, Lawrence, Marquess, Marshall, McClelland, Mercer, Millikan, Moore, Morgan, Morrow, Pancake, Phillips, Pratt, Ross, Simler, Stayner, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thorn, Watts, Willard, Withers, and Wittenmeyer—49.

*Those who voted in the negative were,*

Messrs. Benson, Brown of Pike, Bulla, Carr, Caylor, Conner, Edwards, Fleece, Franklin, Gentry, Hamilton, Haywood, Houghman, Johnston, Lank, Lewis, Lindsey, Marvin, McCarty, McKim, McKim, Nelson, Painter, Patterson of Tippecanoe, Peckenpauqh, Reynolds, Riley, Robbins, Shook, Shull, Stone, Schwartz, Usher, Walls, Watson, Watt, and Williamson—37.

So the bill was ordered to a third reading.

No. 259. A bill for the benefit of the Edinburgh and Western Plank Road Company;

No. 262. A bill to legalize certain acts of County Auditors;  
Were each read a first time and passed to a second reading.

A message from the Senate, by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof:

No. 248. An act to amend an act entitled "an act to incorporate the Indianapolis and Brownsburgh Plank Road Company, approved January 18, 1850;

No. 249. A preamble and act relative to vending spirituous liquors in Green Township in Hancock county;

No. 252. An act to amend an act entitled an act to locate a State road from Crawfordsville, in Montgomery county, to Concord, in Tippecanoe county, approved January 21, 1850.

No. 253. An act to legalize the survey and location of the Vistula State road, in Elkhart county.

In which the concurrence of the House is respectfully requested.

Nos. 248, 253, 249, in the foregoing message were each read a first time and passed to a second reading.

No. 252, in the message, was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

#### SENATE BILLS ON SECOND READING.

No. 161. A bill to provide for the incorporation of subordinate lodges of the Independent Order of Odd Fellows;

Was read a second time.

Mr. Ross moved to refer the bill to the committee on Corporations;

Which motion did not prevail.

The bill was then ordered to a third reading.

No. 212. A bill for the relief of David Meritt, of Dearborn county;

Was read a second time, and,

On motion by Mr. Clark,

Laid upon the table.

No. 215. A bill to incorporate the Danville and Claysville Plank Road Company;

Was read a second time and ordered to a third reading.

#### SENATE BILLS ON THIRD READING.

No. 127. A bill to amend chapter 4 of the Revised Code of 1843.

No. 159. A bill to authorize the township trustees of Lawrenceburg township, Dearborn county, to assess and collect a free bridge tax;

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Coburn,

The order of business was suspended, and a message from the Senate taken up.

A message from the Senate by Mr. Emerson their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof, viz :

No. 251. An act to amend an act incorporating the Wabash Manual Labor College, and teacher's seminary approved January 15, 1834.

In which the concurrence of the House is respectfully requested.

Which was read a first time,

On motion,

The rule was suspended, the bill read a second time and ordered to a third reading.

On motion by Mr. Willard,

The vote ordering the bill to a third reading was reconsidered, and the bill referred to the committee on Corporrtions.

On motion,

The order of business was suspended.

Mr. Phillips introduced

No. 409. A bill to amend an act to provide for the election of township assessors and collectors in the county of Jennings, and for other purposes, approved February 12, 1848 ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Morrow,

Bill No. 180 was taken from the table.

The amendments of the Senate to the bill were concurred in.

Ordered that the Clerk inform the Senate thereof.

#### HOUSE BILLS ON SECOND READING.

No. 110. A bill to amend article 4, of chapter 45, of the Revised Code of 1843, on the subject of partition ;

Was read a second time and ordered to be engrossed.

No. 174. A bill to authorize the building of a bridge across Laughery Creek, by Andrew Morgan ;

Was read a second time.

Mr. Clark offered the following amendment :

Amend the 3d section by filling up the blank as follows :

For every four wheeled carriage, wagon, or other vehicle, drawn by one horse, or other animal, a sum not exceeding five cents, for every horse or other animal in addition, five cents ; for every cart, chaise, or other two wheeled carriage, or vehicle, drawn by one horse, or other animal, not exceeding five cents ; for every

horse, or other animal in addition, five cents; for every sled, or sleigh, drawn by one horse, or other animal, five cents; for every horse, or other animal in addition, 5 cents; for every coach, chariot, or other four wheeled pleasure carriage, drawn by one horse, or other animal, not exceeding ten cents; for every horse, or other additional animal, five cents; for every horse and rider, five cents; for every horse, mule, or ass, six months old or upwards, led or drawn, not exceeding two cents; for every head of neat cattle, six months old, and upwards, two cents; for every hog and sheep, one cent.

*Provided*, That all persons going to or returning from funerals, public worship. or militia musters, shall pass said bridge free of toll.

*Provided, also*, That the county commissioners of Dearborn county, at any regular session thereof, may change said rates of toll as they may deem just and proper, having reference to the usual rates charged by similar toll bridges.

SEC. 9. *And be it further enacted*, That unless the said Andrew Morgan shall, within three months from the 1st day of March, 1851, begin the construction of said bridge, and proceed with the same with all reasonable despatch, so as to have said bridge completed in a good, safe, durable, convenient, and substantial manner by the 1st day of March, 1852, then, and in that case, all rights conferred upon the said Andrew Morgan by this act shall cease and be forfeited; in which case, William S. Speakman, Thomas W. Pate, Levi E. Stevens, George W. Lane, John J. French, Jonah Chambers, and Benjamin Sylvester and their successors in office, are hereby declared to be a body politic and corporate, by the name of the "Laughery Bridge Company," and by that name shall have power to sue and be sued, plead and be impleaded, answer and be answered unto, in all courts of justice of this State, and also to contract and be contracted with.

SEC. 10. At any time after the first day of March, 1852, said directors may have books to be opened for the subscription of stock in said company. The stock of said company shall not be less than five nor to exceed twelve thousand dollars, and shall be divided in shares of fifty dollars each, and shall be paid in such installments as the board of directors of said company shall direct, but at least four-fifths of the amount subscribed by any stockholder shall be paid within twelve months from the time the stock is subscribed.

SEC. 11. As soon as \$5000 of stock is subscribed, an election shall take place for seven directors of said company, and each stockholder shall be entitled to one vote for each share of stock by him owned; but no one stockholder shall be entitled to more than twenty votes, and the directors shall be elected from the stockholders.

SEC. 12. Said directors shall appoint from their own number when elected, a President, and shall also appoint a Treasurer and Secretary, and require of them such bonds as they may see proper,

and may appoint such other agents and servants as may be necessary to enable them to carry out the purposes of this charter.

SEC. 13. The officers of said company shall serve for one year after their appointment, and until their successors are elected and qualified, and it shall be the duty of the directors of said company annually to fill the vacancies that occur in the office of President, Treasurer, and Secretary, and also from time to time to fill all vacancies that may occur by death, resignation, or otherwise. When an appointment shall be made to fill a vacancy occasioned by death or resignation, it shall be for the residue of the time of the predecessor. The directors first elected shall serve a year, and until their successors are elected and qualified, and an election for directors shall take place each year, at some time in the same month that the first election for directors took place.

SEC. 14. A month's notice of the time and place of electing directors shall be given immediately preceding each election, in some newspaper printed in Dearborn or Ohio county.

SEC. 15. Should Andrew Morgan perfect the rights conferred upon him by this act, as above provided for, all the rights, privileges, and immunities conferred upon him by this act shall enure to and be conferred upon and enjoyed by the said Laughey Bridge Company, and the said company shall possess all the rights and be subject to all the obligations that the said Andrew Morgan would have possessed, and shall do all things that the said Andrew Morgan is requested to do by the provisions of this act, and be subject to all the liabilities and penalties that said Morgan is subject to, except as hereinafter stated.

SEC. 16. As soon as the franchises granted by this act accrued to said company, or within three months after said company shall commence the erection of said Bridge, and shall progress with the same, with reasonable despatch, and shall complete the same within one year after commencing the same.

SEC. 17. Should said company fail to comply with the last preceding section of this act they shall forfeit all right under this act.

Which were adopted.

The bill as amended was ordered to be engrossed.

Mr. Davis of Scott moved to take Senate bill No. 176 from the table.

Which motion did not prevail.

On motion by Mr. McClelland,

The House adjourned until half-past 1 o'clock, P. M.

Half-past 1 o'clock, P. M.

House met.

# ORDERS OF THE DAY.

On motion by Mr. Willard,

A call of the House was ordered.

On motion,

The absentees were sent for, to-wit:

Messrs. Bird, Brown of Pike, Caylor, Clark, Coburn, Cowan, Graff, Hammond, Hutchinson, Jordon, Patterson of Tippecanoe, Stone, and Withers.

On motion by Mr. Usher,

A further call of the House was dispensed with.

# HOUSE BILLS ON SECOND READING.

No. 118. A bill describing the boundary of Blackford county.

On motion by Mr. Williamson,

The bill was laid on the table.

No. 219. A bill to incorporate the Rising Sun Hotel Company,  
Was read a second time.

On motion by Mr. Armstrong,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 351. A bill for the relief of the assignees of J. and E. L. Beard.

The question being on the engrossment of the bill,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Blue, Bradley, Chapman, Clark, Coburn, Conner, Crawford, Donaldson, Essex, Gentry, Graff, Hammond, Harris, Harrison, Hosbrook, Houghman, Hubbard, Hutchinson, Jones Lank, Lawrence, Lewis, Marquess, Marshall, McCarty, McClelland, McMakin, Moore, Morrow, Patterson of Marshall, Patterson of Tippecanoe, Pratt, Ross, Simler, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Willard, Williamson, Withers, Wittenmeyer, and Mr. Speaker—44.

*Those who voted in the negative were,*

Messrs. Brown of Pike, Brown of Shelby, Bulla, Carr, Caylor, Cox, Davis of Dubois, Davis of Scott, Edwards, Fleece, Franklin, Goodwin, Hall, Hamilton, Haywood, Hicks, Isom, Jackson, Johnston, Jordan, Lindsey, Marvin, McKim, Mercer, Morgan, Nelson, Painter, Pancake, Peckenpaugh, Phillips, Reynolds, Riley, Robbins, Shook, Stayner, Stone, Schwartz, Thorn, Walls, Watson, Watt, and Watts—42.

So the bill was ordered to be engrossed.

On motion by Mr. Graff,

The joint committee appointed to investigate the charges against the officers of the Hospital for the Insane, was granted leave of absence for this afternoon.

No. 355. A bill to attach the south half of section 3, in township 3, in range 5 east, to the county of Scott;

No. 371. A bill declaring a certain name a misprint;

Were each read a second time and ordered to be engrossed.

The Speaker laid before the House the following communication from his Excellency the Governor:

HON. E. DUMONT,

*Speaker of the House of Representatives:*

You will please lay before the House of Representatives the inclosed Report of the Agent of State.

JOS. A. WRIGHT.

Mr. Willard moved to lay the report of the Agent of State on the table, and 500 copies be ordered to be printed.

Mr. Watts proposed to print 1000.

The question was put on printing 1000 copies, and decided in the affirmative.

The Speaker laid before the House the following communication:

CONSTITUTIONAL CONVENTION, }  
February 6, 1851. }

HON. E. DUMONT,

*Speaker of the House of Representatives:*

SIR: I have the honor to inform you that the following resolution was this day adopted by the Convention:

*Resolved*, That each member of the General Assembly be authorized to receive a copy each of the "Legislative Journal" and "Journal of Debates" of this Convention.

Respectfully,

WM. H. ENGLISH, Secretary.

Pr. G. L. SITES, Assistant.

## HOUSE BILLS ON THIRD READING.

No. 234. A bill amending section 48, 49, and 50 of chapter 29, of the Revised Statutes of 1843;

No. 352. A bill providing for a certain road therein named ;

No. 361. A bill to amend section 24, chapter 10, of article 1, of the Revised Statutes of 1843, so far as the same relates to the county of Allen ;

No. 362. A bill to repeal an act to amend the statute providing for taking a change of venue in criminal cases as far as Allen county is concerned, approved Jan. 16, 1849 ;

No. 354. A bill to incorporate the town of Salem, in the county of Washington ;

No. 366. A bill to amend an act entitled "an act to incorporate the Ohio and Indiana Railroad Company," approved Jan. 15, 1851 ;

No. 338. A bill to incorporate the Wabash, Warsaw and Goshen Plank Road Company ;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 384. A bill to appraise the real estate of the State, to make the value of the same equal and uniform throughout this State,

Was read a third time.

The question being, "Shall the bill pass?"

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Pike, Bulla, Clark, Conner, Cowan, Cox, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Essex, Franklin, Gentry, Goodwin, Hall, Hamilton, Hammond, Harris, Harrison, Haywood, Houghman, Hubbard, Isom, Johnston, Jones, Jordan, Lank, Lawrence, Lindsey, Marquess, Marshall, McCarty, McClelland, McKim, McMakin, Moore, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Peckenpaugh, Pratt, Riley, Robbins, Ross, Simler, Stayner, Stone, Swihart of Huntington, Thompson of Carroll, Usher, Walls, Watson, Willard, Withers, and Wittenmeyer—63.

*Those who voted in the negative were,*

Messrs. Brown of Shelby, Carr, Chapman, Coburn, Crim, Elkins, Hicks, Jackson, Marvin, Mercer, Morrow, Phillips, Reynolds, Shook, Schwartz, Swihart of Wabash, Thorn, Watt, and Watts—19.

So the bill passed.

Ordered that the Clerk inform the Senate thereof.

No. 373. A bill to amend an act entitled "an act concerning



free negroes, mulattoes, servants, and slaves," approved January 10, 1831,

On motion,  
Was informally passed over for the present.

#### SENATE BILLS ON THIRD READING.

No. 120. A bill to incorporate the Commercial Railroad Company;

Was read a third time.

On motion by Mr. Chapman,

A call of the House was ordered.

After spending some time on the call,

On motion by Mr. Willard,

A further call of the House was dispensed with.

The question being on the passage of the bill,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Bradley, Coburn, Cowan, Donaldson, Edwards, Fleece, Goodwin, Hamilton, Hammond, Harris, Haywood, Houghman, Marquess, Marvin, McCarty, McClelland, McMakin, Nelson, Pancake, Pratt, Reynolds, Riley, Ross, Thompson of Carroll, Usher, Watson, Withers, and Mr. Speaker—28.

*Those who voted in the negative were,*

Messrs. Armstrong, Bird, Blue, Brown of Pike, Brown of Shelby, Bulla, Carr, Chapman, Clark, Conner, Cox, Crim, Davis of Dubois, Davis of Scott, Elkins, Essex, Franklin, Gentry, Hall, Harrison, Hicks, Hubbard, Jones, Jordan, Lank, Lawrence, Lindsey, Marshall, McKim, Mercer, Millikan, Moore, Morgan, Morrow, Painter, Patterson of Marshall, Patterson of Tippecanoe, Peckenpaugh, Phillips, Robbins, Shook, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Wabash, Thorn, Walls, Watt, Watts, Willard, and Wittenmeyer—53.

So the bill did not pass.

No. 122. A bill to extend further time to the borrowers of the Sinking Fund, and other trust funds.

No. 160. A bill to incorporate the Anderson, Alexandria, and Jonesborough Plank Road Company;

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

## HOUSE BILLS ON SECOND READING.

No. 374. A bill to locate a State road in the counties of Benton and Warren;

Was read a second time, and,

On motion by Mr. Benson,

Laid on the table.

No. 382. A bill to extend a certain road therein named;

Was read a second time and ordered to be engrossed.

## HOUSE BILLS ON THIRD READING.

No. 320. A bill authorizing the Treasurer and Auditor of State to resettle with George H. Dunn, late Treasurer of State, and to correct any mistake that may be found in the former settlement of the said Dunn.

No. 327. A bill dispensing with complete records, and regulating the fees of clerks in probate courts in certain cases.

No. 230. A bill to repeal an act to regulate the retailing of spiritous liquors in the county of Kosciusko.

No. 333. A bill to extend the time of holding the sessions of the board of county commissioners of Warren county;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

## SENATE BILLS ON THIRD READING.

No. 106. A bill to amend an act entitled an act to protect from waste certain lands therein mentioned;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 126. A bill to amend an act entitled an act to incorporate the Rushville and Muncietown Railroad Company, approved Jan. 21, 1850;

Was read a third time,

On motion by Mr. Brown of Shelby,

A call of the House was ordered.

After spending some time on the call,

On motion by Mr. Marvin,

A further call of the House was dispensed with.

Mr. Ross moved to adjourn,

Which motion did not prevail.

The question being Shall the bill pass?

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Shelby, Bulla, Carr Chapman, Clark, Cowan, Davis of Scott, Donaldson, Elkins, Essex, Franklin, Gentry, Hamilton, Harris, Harrison, Hubbard, Jordan, Lawrence, Marshall, McKim, McMakin, Mercer, Millikan, Moore, Morgan, Morrow, Painter, Patterson of Marshall, Phillips, Reynolds, Shook, Simler, Stayner, Schwartz, Swihart of Huntington, Swihart of Wabash, Thorn, Watts, and Willard—44.

*Those who voted in the negative were,*

Messrs. Brown of Pike, Coburn, Conner, Cox, Edwards, Fleece, Goodwin, Hall, Haywood, Hicks, Hosbrook, Houghman, Isom, Jackson, Johnston, Lank, Lindsey, Marshall, Marquess, Marvin, McClelland, Nelson, Peckenpaugh, Pratt, Riley, Robbins, Ross, Stone, Thompson of Carroll, Usher, Walls, Watson, Watt, Withers, and Mr. Speaker—34.

So the bill passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

Leave of absence was granted Mr. Pratt till Monday next, noon.

On motion,

The order of business was suspended.

Mr. Usher introduced

No. 420. A bill regulating the expense of capturing fugitives from justice;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended.

Mr. Goodwin introduced

No. 421. A bill for the relief of Peter Helphenstine a purchaser of School lands;

Which was read a first and second time the rule being suspended therefor, and ordered to be engrossed.

Mr. Shook, chairman of the committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The committee on Enrolled Bills, have compared the following and find them correctly enrolled:

No. 126. An act to amend an act entitled an act to incorporate the Terre Haute Draw Bridge Company. approved January 13th, 1845.

No. 198. An act for the benefit of the Union Plank Road Com-

pany, and the Michigan City and South Bend Plank Road Company, in Laporte county.

No. 331. An act to vacate an alley in the town of Greencastle, in Putnam county.

Mr. Gentry, from the committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The committee on Enrolled Bills have compared the following enrolled bills with the engrossed bills of the House and find the same correctly enrolled.

No. 60. An act relative to plank roads.

No. 264. An act to amend an act entitled an act to amend the act entitled an act to incorporate the city of Fort Wayne, and all acts and parts of acts amendatory thereto.

No. 319. An act to incorporate the Charlestown and Brownstown Plank Road Company.

On motion by Mr. Nelson,

The House adjourned until to-morrow morning, half-past 8 o'clock.

FRIDAY MORNING, February 7, 1851.

House met.

The Journal of the preceding day was partly read, when,

On motion by Mr. Carr,

The further reading of the Journal was dispensed with.

On motion by Mr. Watts,

The orders of the day were taken up where the House left off yesterday.

#### ORDERS OF THE DAY.

On motion,

The order of business was suspended.

On motion by Mr. Williamson,

*Resolved*, That the Speaker of this House be requested to audit

the claim of Thos. H. O'Neal, a member of this House, from the commencement of the session up to the close of the same, with mileage amounting to \$15.

#### SENATE BILLS ON THIRD READING.

No. 143. A bill to incorporate a Gas Light Company in the city of Madison;

Was read a third time, and,

On motion,

Referred by unanimous consent, to a select committee, consisting of Messrs. Chapman, Watts, and Watt.

No. 152. A bill defining the duties of Auditor and Treasurer of the counties of DeKalb and Noble, and for other purposes.

No. 158. A bill to prevent Clerks and Sheriffs from purchasing judgments in the Court to which they act as Clerk or Sheriff.

No. 189. A bill for the relief of Rebecca Elder, of the county of Marion.

No. 197. A bill to repeal an act therein named;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 200. A bill to amend the charter of the Madison and Brownstown Turnpike Company;

Was read a third time, and,

On motion by Mr. Watts,

Laid on the table.

No. 205. A bill to change the name of Levi Gear to that of Levi Frash.

No. 208. A bill to incorporate the Danville and White Lick Plank Road Company;

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 227. A bill to authorize Wm. M. Miller, administrator of the estate of James K. Hemphill, to make a deed to John Vawter;

Was read a third time and passed.

On motion,

"Millen" was substituted for "Miller" in the title.

Ordered that the Clerk inform the Senate thereof.

#### HOUSE BILLS ON THIRD READING.

No. 386. A joint resolution directing the State Librarian to allow the ladies of the committee on the "Owen testimonial" the use of the Hall of the House of Representatives;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

## HOUSE BILLS ON SECOND READING.

No. 338. A bill to authorize the city of Madison to borrow money;

Was read a second time.

On motion by Mr. Watts,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 390. A bill describing the boundaries of the county of Blackford;

Was read a second time and withdrawn by Mr. Shull,

By the consent of the House.

No. 291. A bill to provide for the defraying the expense of selecting the overflowed and swamp lands in the State of Indiana, and for other purposes.

Mr. Chapman moved to amend by striking out the 8th section.

The question being on the adoption of the amendment,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Brown of Pike, Brown of Shelby, Bulla, Carr, Chapman, Coburn, Conner, Cowan, Crawford, Crim, Donaldson, Elkins, Essex, Franklin, Gentry, Graff, Hall, Harris, Haywood, Hubbard, Humphreys, Hutchinson, Johnston, Jones, Jordan, Lank, Lawrence, Lewis, Lindsey, Marshall, McCarty, McKim, McMakin, Millikan, Moore, Morgan, Morrow, Painter, Pancake, Patterson of Tippecanoe, Peckenpaugh, Phillips, Reynolds, Riley, Shook, Shull, Simler, Stayner, Schwartz, Swihart of Huntington, Thorn, Walls, Watt, Watts, Willard, Williamson, Wittenmeyer and Mr. Speaker—61.

*Those who voted in the negative were,*

Messrs. Blue, Bradley, Caylor, Clark, Cox, Davis of Dubois, Davis of Scott, Edwards, Fleece, Goodwin, Hamilton, Hammond, Harrison, Hicks, Hosbrook, Houghman, Isom, Jackson, Marquess, Marvin, Mercer, Nelson, Patterson of Marshall, Robbins, Ross, Stone, Thompson of Carroll, Usher, Watson and Withers—34.

Mr. Harrison offered the following amendment:

“And said Sheriff shall be allowed by the several county boards a reasonable compensation for such services to be paid out of the State revenue in the hands of the Treasurer of the county in which such service shall be performed.”

Which was adopted.

Mr. Hamilton moved to amend by striking out so much as appertained to the pay of "one cent per acre."

Which,

On motion,

Was laid upon the table.

Mr. Watts moved to amend:

"That the proceeds of said lands after paying for draining shall be appropriated wholly for the payment of our State debt as the Legislature may direct."

On motion by Mr. Ross,

The amendment was laid upon the table.

The question being on the engrossment of the bill,

Was decided in the affirmative.

On motion by Mr. Davis of Scott,

The bill was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

A message from the Governor by Mr. Noel, the Executive messenger:

**MR. SPEAKER:**

I am directed by the Governor to inform the House of Representatives that he has approved and signed the following bills:

No. 201. An act to amend an act entitled, "an act to increase and extend the benefits of common schools," approved January 17, 1849, and the act declaring said act in force, approved January 19, 1850, so far as the same relates to the county of Vigo.

No. 179. An act to prohibit the traffic of intoxicating liquors in the town of Columbus.

No. 168. An act to incorporate the Pittsburgh and Crawfordsville Plank Road Company.

No. 161. An act to authorize the sale of section sixteen, in Congressional township twenty-four, north of range twelve east, in Jay and Blackford counties.

No. 162. An act in relation to the South Bend and Plymouth Plank Road Company.

No. 139. An act to locate a State road in the counties of Hamilton, Tipton and Howard.

No. 31. An act relative to the Laporte and Plymouth Plank Road Company.

No. 280. An act to regulate the issuing of executions and fee bills in the several courts in the counties of Marion, Dearborn, Daviess, Lawrence, Union, Fayette, Martin and Blackford, upon which no execution has issued for three years, from the rendition thereof, and when fees have not been collected for three years from the termination of the suit in which the same is taxed.

## SENATE BILLS ON SECOND READING.

No. 5. A bill to amend an act entitled an act to incorporate the town of Liberty in Union county, approved January 18, 1850.

Was read a second time and ordered to a third reading.

Mr. Davis of Scott moved to take Senate bill No. 173, a bill for the apportionment of Senators and Representatives amongst the counties of the State from the table, and place it on the files of the House.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Blue, Brown of Pike, Brown of Shelby, Carr, Caylor, Chapman, Clark, Cowan, Crawford, Crim, Davis of Dubois, Davis of Scott, Elkins, Fleece, Gentry, Goodwin, Graff, Hamilton, Harris, Haywood, Hicks, Hubbard, Isom, Johnston, Jordan, Lank, Lindsey, Marquess, Marshall, McCarty, McClelland, McKim, McMakin, Nelson, Painter, Pancake, Patterson of Tippecanoe, Peckenpaugh, Riley, Ross, Shook, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Walls, Watson, Willard, Williamson, Withers, Wittenmeyer, and Mr. Speaker—57.

*Those who voted in the negative were,*

Messrs. Bird, Bradley, Bulla, Coburn, Conner, Cox, Donaldson, Edwards, Essex, Franklin, Hall, Harrison, Hosbrook, Houghman, Humphreys, Hutchinson, Jackson, Lawrence, Lewis, Marvin, Mercer, Milliken, Moore, Morgan, Morrow, Patterson of Marshall, Phillips, Reynolds, Robbins, Thompson of Carroll, Thorn, Usher, Watt, and Watts—34.

So the bill was placed upon the files of the House.

No. 108. A bill to constitute a school district from a portion of territory in the counties of Grant and Blackford ;

Was read a second time.

Mr. Shull moved to suspend the rule and read the bill a third time.

Which motion did not prevail.

The bill was ordered to a third reading.

No. 164. A bill to incorporate the Indiana Fire and Marine Insurance Company ;

Was read a second time and ordered to a third reading.

No. 166. A bill to incorporate the Indiana Monumental Association ;

Was read a second time, and



On motion by Mr. Usher,

Referred to the committee on Corporations.

No. 174. A bill in relation to the Western Plank Road Company in Tippecanoe county;

Was read a second time and ordered to a third reading.

Mr. Mercer moved to take from the table House bill,

No. 289. A bill for the apportionment of the Senators and Representatives amongst the counties of this State, and place it on the files of the House.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Bird, Bradley, Bulla, Campbell, Chapman, Coburn, Conner, Cox, Davis of Dubois, Donaldson, Edwards, Essex, Franklin, Graff, Hall, Harrison, Hosbrook, Houghman, Humphreys, Hutchinson, Jackson, Lank, Lawrence, Marshall, Marvin, Mercer, Millikan, Moore, Morgan, Morrow, Nelson, Patterson of Marshall, Phillips, Reynolds, Robbins, Stone, Thompson of Carroll, Thorn, Usher, Watt, Watts, and Willard—42.

*Those who voted in the negative were,*

Messrs. Armstrong, Benson, Blue, Brown of Pike, Brown of Shelby, Carr, Caylor, Clark, Cowan, Crawford, Crim, Davis of Scott, Essex, Fleece, Gentry, Goodwin of Daviess, Hamilton, Harris, Haywood, Hicks, Hubbard, Isom, Johnston, Jones, Jordan, Lindsey, Marquess, McCarty, McClelland, McKim, McMakin, Painter, Pancake, Patterson of Tippecanoe, Peckenpaugh, Riley, Ross, Shook, Shull, Simler, Stayner, Schwartz, Swihart of Huntington, Swihart of Wabash, Walls, Watson, Williamson, Withers, Wettenmeyer, and Mr. Speaker—51.

So the bill was not taken from the table.

No. 202. A bill for the benefit of the Mt. Vernon and New Harmony Plank Road Company;

Was read a second time, and ordered to a third reading.

No. 204. A bill to amend sections 148 and 149 of chapter 5, article 13 of the Revised Statutes of 1843;

Was read a second time, and

On motion by Mr. Chapman,

Referred to the committee on the Judiciary.

No. 206. A bill to amend an act entitled an act to amend the 15th chapter of the Revised Statutes, approved Jan. 26, 1847, so far as relates to the county of Shelby;

Was read a second time and ordered to a third reading.

No. 214. A bill in relation to the county Surveyor of Putnam county;

Was read a second time, and

On motion by Mr. Johnston,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 218. A bill to legalize the sale of lands and town lots for taxes in Spencer county on the 1st Monday of January, 1851.

No. 219. A bill to amend the general road law, so far as the county of Putnam is concerned;

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 229. A bill to amend an act entitled an act to incorporate the Centreville and Abbington Turnpike Company, approved February 12, 1848.

No. 231. A bill to vacate a part of Jennings and Jackson streets in the town of Rushville.

No. 236. A bill to amend an act entitled an act to incorporate the Knightstown and Shelbyville Railroad Company.

No. 239. A bill to authorize the voters of Jackson township in the county of Blackford, to vote at Hartford in said county.

No. 241. A bill to authorize the construction of viaducts under public highways;

Were severally read a second time, and ordered to a third reading.

On motion,

The order of business was suspended,

Mr. Usher introduced

No. 422. A joint resolution in relation to papers and records appertaining to the Wabash and Erie Canal, &c.;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

On motion by Mr. Dumont,

*Resolved*, That a committee of ten be appointed to report to this House the distance on the most usually travelled route from Indianapolis to the residence of each member of this General Assembly, and the amount of mileage to which each is entitled.

Messrs. Watts of Jefferson, Hutchinson, Davis of Scott, Armstrong, Watt, Brown of Shelby, Williamson, Pratt, Millikan, and Bird, were appointed said committee.

On motion by Mr. Dumont,

Bill No. 185 was taken from the table, and placed on the files of the House.

On motion by Mr. Stone,

The order of business was suspended, and

Bill No. 185. A bill to amend the charter of the Junction Railroad Company,

Was considered.

Mr. Stone moved to suspend the rule and read the bill a third time.

Mr. Chapman moved to strike out the whole of the first section of said bill.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Bird, Blue, Brown of Shelby, Bulla, Campbell, Carr, Caylor, Chapman, Clark, Cowan, Crawford, Crim, Davis of Scott, Elkins, Essex, Franklin, Gentry, Graff, Harrison, Hicks, Hubbard, Humphreys, Hutchinson, Jackson, Jones, Jordan, Lank, Lawrence, Lewis, Marshall, McCarty, Moore, Morgan, Morrow, Nelson, Painter, Patterson of Marshall, Peckenpaugh, Phillips, Shook, Shull, Simler, Stayner, Schwartz, Swihart of Wabash, Thompson of Carroll, Thorn, Watts, and Willard—49.

*Those who voted in the negative were,*

Messrs. Bradley, Coburn, Conner, Edwards, Fleece, Goodwin of Daviess, Hamilton, Harris, Haywood, Hosbrook, Houghman, Isom, Johnston, Lindsey, Marquess, Marvin, McClelland, McMakin, Patterson of Tippecanoe, Riley, Robbins, Ross, Stone, Watson, Watt, Withers, and Mr. Speaker—27.

So the amendment was adopted.

Mr. Watt offered the following amendment :

Amend by inserting "that said road shall run on no other route than through College Corner, in Union county, and shall cross the State line at the nearest practicable point thereto."

Which was adopted and the bill ordered to be engrossed.

On motion,

The order of business was suspended, and,

Mr. Bradley, Chairman of the committee on Corporations, made the following report :

**MR. SPEAKER :**

The committee on Corporations, to whom was referred Senate bill No. 251, "an act to amend an act incorporating the Wabash Manual Labor College and Teacher's Seminary, approved January 15th, 1834," have had the same under consideration and have instructed me to report the same back to the House without amendment and respectfully recommend its passage.

On motion by Mr. Bradley,  
The rule was suspended, the bill read a third time, and passed.  
Ordered that the Clerk inform the Senate thereof.

On motion,  
The order of business was suspended, and,  
Mr. Brown of Pike, from a select committee, made the following report :

**MR. SPEAKER:**

The select committee, to whom was referred a petition, have had the same under consideration and have directed me to report back the following bill and recommend its passage:

No. 423. A bill to authorize the county commissioners of Pike county to make an appropriation therein named ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,  
The order of business was suspended, and,  
Mr. Dumont introduced,  
No. 424. A bill to incorporate the Aurora Hotel Company ;  
Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Willard,  
The order of business was suspended and reports from standing committees taken up.

#### REPORTS FROM STANDING COMMITTEES.

Mr. Franklin from the committee on the Judiciary, made the following report :

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred bill of the House No. 360, "for the relief of the owners of lands mortgaged to the sinking fund," have had the same under consideration, made an amendment thereto, and as amended, recommend the passage thereof:

Amend as follows :

Insert after the word "persons," in the fifth line and first section "in severalty and in separate parcels ;"

Which was concurred in.

On motion,  
The rule was suspended, the bill read a third time, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Chapman, chairman of the committee on the Judiciary, made the following report :

MR. SPEAKER :

The committee on the Judiciary, to whom was referred the memorial of John P. Mattoon, have had the same under consideration and have directed me to report the same back with a recommendation that it be laid upon the table, and said committee ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Bradley from the committee on the Judiciary, made the following report :

MR. SPEAKER :

The committee on the Judiciary, to whom was referred No. 348, "a bill allowing mileage to witnesses in civil cases," have had the same under consideration and have directed me to report the same back and recommend the indefinite postponement thereof, and said committee ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Williamson from the committee on the Judiciary, made the following report :

MR. SPEAKER :

The committee on the Judiciary, to whom was referred No. 343, "a bill to amend the several acts now in force, in relation to widows," have had the same under consideration and directed me to report the same back for the further action of the House, and said committee ask to be discharged from the further consideration thereof.

Mr. Chapman offered the following amendments :

Strike out of the 1st section the following : "Subject to the payment of the funeral expenses."

Also, strike out in the second, "subject to the payment of funeral expenses."

Which were adopted.

On motion by Mr. Dumont,

The rule was suspended, the bill read a third time, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Edwards from the committee on the Judiciary, made the following report :

MR. SPEAKER:

The committee on the Judiciary, to whom was referred House bill No. 192, entitled "an act for the relief of widows," with sundry amendments thereto, have had the same under consideration and have directed me to report said bill and amendments back to the House with a recommendation that the same be indefinitely postponed, and said committee ask to be discharged from the further consideration thereof.

Which was not concurred in.

Mr. Chapman moved to strike out "the first of July, 1851," and insert the "first of January, 1852;"

Which motion prevailed.

Mr. Usher moved to indefinitely postpone the bill.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Benson, Bradley, Carr, Caylor, Chapman, Coburn, Crim, Davis of Dubois, Edwards, Essex Fleece, Goodwin Graff, Hamilton, Haywood, Humphreys, Isom, Johnston, Marquess, Marvin, McKim, McMakin, Mercer, Morgan, Morrow, Nelson, Peckenpaugh, Shook, Simler, Stone, Usher, Watt, Watts, Williamson, and Wittenmeyer  
—35.

*Those who voted in the negative were,*

Messrs. Armstrong, Bird, Blue, Brown of Pike, Brown of Shelby, Bulla, Campbell, Clark, Cowan, Cox, Crawford, Davis of Scott, Donaldson, Elkins, Franklin, Gentry, Hall, Harris, Hicks, Hosbrook, Houghman, Hubbard, Hutchinson, Jackson, Jordan, Lank, Lawrence, Lewis, Lindsey, Marshall, Moore, Painter, Patterson of Marshall, Patterson of Tippecanoe, Phillips, Riley, Ross, Shull, Stayner, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thorn, Walls, Watson, Willard, Withers, and Mr. Speaker  
—49.

So the bill was not indefinitely postponed.

Mr. Dumont offered the following amendment:

*Provided*, That the provisions of this law shall not apply to lands which the husband has heretofore alienated, but in such cases the widow's rights shall remain as if this law had not passed.

Which was adopted.

On motion,

The House adjourned.

14 o'clock.

House met.

The question at the last adjournment of the House was on the engrossment of bill

No. 192. A bill for the relief of Widows.

On motion by Mr. Graff,

The joint select committee on the Hospital for the Insane, was granted leave of absence for the remainder of the day.

Mr. Williamson asked to be excused from serving on the joint select committee on the affairs of the Hospital for the Insane,

Which was granted.

Mr. Watts was appointed by the Speaker to fill the vacancy.

A Message from the Senate by Mr. Emerson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have appointed Messrs. English and Ellis as a committee of free conference, to act in conjunction with a similar committee on the part of the House, to take into consideration the disagreement of the two houses upon the engrossed amendment of the House to engrossed bill of the Senate,

No. 103. An act to authorize the Governor, Auditor and Treasurer of State to borrow money to pay the interest due on the funded debt on the 1st day of July next, and defray the expenses of the Constitutional Convention.

A Message from the Senate by Mr. Emerson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate have concurred in the engrossed amendment of the House to engrossed bill of the Senate,

No. 188. An act to amend an act entitled an act to incorporate the Moorshill and Aurora Turnpike Company, approved February 15, 1848.

Mr. Usher offered the following amendment to the bill.

*Provided*, That this act shall only extend to lands acquired after coverture.

Mr. Chapman moved a call of the House, which motion did not prevail.

The question being on the adoption of the amendment by Mr. Usher, the ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Benson, Bradley, Carr, Caylor, Chapman, Coburn, Con-

ner, Crim, Davis of Dubois, Edwards, Essex, Goodwin, Hamilton, Harrison, Haywood, Hubbard, Humphreys, Isom, Johnson, Jones, Marvin, McCarty, McClelland, McKim, McMakin, Mercer, Millikan, Morgan, Morrow, Nelson, Peckenpaugh, Reynolds, Robbins, Shook, Shull, Simler, Stayner, Stone, Usher, Watt, Watts, Williamson and Wittenmeyer—43.

*Those who voted in the negative were,*

Messrs. Armstrong, Bird, Blue, Brown of Pike, Brown of Shelby, Bulla, Campbell, Clark, Cowan, Cox, Davis of Scott, Donaldson, Elkins, Franklin, Gentry, Hall, Harris, Hicks, Hosbrook, Houghman, Jackson, Jordan, Lank, Lawrence, Lindsey, Marquess, Marshall, Moore, Painter, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Phillips, Rice, Riley, Ross, Schwartz, Swihart of Huntington, Swihart of Wabash, Thorn, Watson, Willard, Withers and Mr. Speaker—44.

So the amendment was not adopted.

The question recurring on the engrossment of the bill,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Brown of Pike, Brown of Shelby, Bulla, Campbell, Clark, Cowan, Cox, Davis of Scott, Donaldson, Franklin, Gentry, Hall, Harris, Hicks, Hosbrook, Houghman, Jordan, Lank, Lawrence, Lindsey, Marquess, Moore, Painter, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Phillips, Rice, Riley, Ross, Schwartz, Swihart of Huntington, Swihart of Wabash, Thorn, Watson, Willard, Withers, and Mr. Speaker—40.

*Those who voted in the negative were,*

Messrs. Benson, Blue, Bradley, Carr, Caylor, Chapman, Coburn, Conner, Crim, Davis of Dubois, Edwards, Elkins, Essex, Fleece, Goodwin, Hamilton, Harrison, Haywood, Hubbard, Humphreys, Isom, Jackson, Johnston, Jones, Marshall, Marvin, McCarty, McClelland, McKim, McMakin, Mercer, Millikan, Morgan, Morrow, Nelson, Peckenpaugh, Robbins, Shook, Shull, Simler, Stayner, Stone, Usher, Walls, Watt, Watts, Williamson and Wittenmeyer—48.

So the bill was not ordered to be engrossed.

#### ORDERS OF THE DAY.

On motion,

Mr. Watts was excused from serving on the joint select committee



on the affairs of the Hospital for the Insane, and Mr. Davis of Du-bois appointed in his place.

A Message from the Senate by Mr. Emerson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House, with one amendment:

No. 257. An act to amend the charter of the Central Plank Road Company.

In which amendment the concurrence of the House is respectfully requested.

Which was concurred in.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Willard,

House bill No. 289 was taken from the table and placed on the files of the House.

Mr. Bradley moved to refer Senate bill No. 172, and House bill No. 289, to the apportionment committee.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Benson, Bird, Bradley, Brown of Pike, Bulla, Campbell, Caylor, Chapman, Clark, Conner, Cox, Crim, Donaldson, Edwards, Essex, Fleece, Franklin, Hall, Haywood, Hosbrook, Houghman, Hubbard, Humphreys, Isom, Jones, Lank, Lawrence, Marshall, Marvin, McClelland, Mercer, Millikan, Moore, Morgan, Morrow, Nelson, Patterson of Marshall, Peckenpaugh, Phillips, Reynolds, Rice, Robbins, Simler, Stone, Swihart of Wabash, Thorn, Usher, Watt, Watts, Willard, Williamson, Wittenmeyer and Mr. Speaker—53.

*Those who voted in the negative were,*

Messrs. Armstrong, Blue, Brown of Shelby, Carr, Cowan, Davis of Scott, Elkins, Gentry, Goodwin, Hamilton, Harris, Harrison, Hicks, Jackson, Johnston, Lindsey, Marquess, McCarty, McKim, McMakin, Painter, Pancake, Patterson of Tippecanoe, Riley, Ross, Shook, Shull, Stayner, Schwartz, Swihart of Huntington, Walls, Watson, and Withers—33.

So the bills were referred to the committee on Apportionment.

On motion,

Mr. Bradley was excused from serving on the committee on Apportionment.

On motion,

Mr. Hicks was added to said committee.

On motion,

Mr. Hamilton was also added.

Mr. Brown of Shelby made the following report from a committee of Free Conference:

**MR. SPEAKER:**

The committee of Free Conference on the part of the House, appointed to take into consideration the disagreement of the two houses on the engrossed amendments of the House to the engrossed bill of the Senate, No. 103, authorizing the Governor, Auditor and Treasurer of State to borrow money to pay the interest due on the funded debt on the first day of July next, and defray the expenses of the Constitutional Convention, ask leave to report, that after due deliberation and conference, they have recommended, in lieu of the engrossed amendments of the House, the following:

Insert after the word "hundred," in the 1st section, "sixty."

Strike out the 3d section and insert:

That there be hereby appropriated to the payment of the expenses of the Constitutional Convention, a sum of not exceeding fifty thousand dollars, out of the money not otherwise appropriated: *Provided*, That there shall first be set aside an amount sufficient to defray the expenses of the Legislature, and the ordinary expenses of the State, and in case of a deficit, the same shall be made up by a loan, as provided in the first section of this act.

Which was concurred in.

On motion,

Mr. Thompson of Delaware was excused from serving on the committee on Apportionment, and

Mr. Conner was substituted in his place.

On motion by Mr. McCarty,

The vote on the passage of bill No. 257 was reconsidered.

When,

On motion by Mr. McCarty,

The bill was laid upon the table.

Mr. Franklin, from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred No. 365, a bill to amend an act entitled an act to authorize the transfer of cases pending in the Probate to the Circuit Courts, as far as relates to Putnam county, approved January 16, 1849, and for other pur-

poses, have had the same under consideration, and have directed me to report the same back without amendment, and recommend the passage thereof.

The bill was ordered to be engrossed.

Mr. Williamson, from the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred No. 318, an act amending the criminal law of this State, and declaratory thereof, have had the same under consideration, made an amendment thereto, and as amended recommend the passage thereof.

Amend as follows:

Strike out the second section; amend the remaining sections to correspond.

Which was concurred in, and the bill ordered to be engrossed.

Mr. Franklin, from the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred bill of the Senate, No. 112, an act in relation to the commission and punishment of crime, have had the same under consideration, and have directed me to report the same back without amendment and recommend the passage thereof.

The bill was ordered to a third reading.

Mr. Williamson, from the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred No. 158, an act to repeal an act therein named, have had the same under consideration, and have directed me to report the same back without amendment, and recommend the passage thereof.

The bill was ordered to be engrossed.

Mr. Franklin, from the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred No. 346,

an act to authorize the Commissioners of Wabash county to sell the Surplus Revenue bank stock of said county, have had the same under consideration, and have directed me to report the same back for the further action of the House; and said committee ask to be discharged from the further consideration thereof.

The bill was ordered to be engrossed.

Mr. Edwards, from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred House bill No. 341, entitled an act to provide for the support of infant children in cases therein named, have had the same under consideration, and have directed me to report the same back, recommend that it be indefinitely postponed, and ask to be discharged from the further consideration thereof.

Which was concurred in.

Mr. Coburn, from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred No. 416, an act in reference to proceedings upon scire facias, have had the same under consideration, and have directed me to report the same back without amendment, and recommend the passage thereof.

The bill was ordered to be engrossed.

Mr. Coburn, from the committee on the Judiciary, made the following report:

**MR. SPEAKER:**

The committee on the Judiciary, to whom was referred bill of the Senate, No. 135, an act to amend section two of an act entitled an act to amend the laws relating to execution of deeds by order of the Probate Court, approved January 15, 1849, have had the same under consideration, and have directed me to report the same back without amendment, recommend its passage, and ask to be discharged from the further consideration thereof.

The bill was ordered to a third reading.

Mr. Bradley from the committee on the Judiciary made the following report:

**MR. SPEAKER :**

The committee on the Judiciary to whom was referred the petition of Nancy M. Caywood praying for a divorce, have had the same under consideration and are of opinion that it is inexpedient to legislate thereon, said committee therefore ask to be discharged from the further consideration of the subject;

Which was concurred in.

Mr. Watt chairman of the committee on Roads made the following report:

**MR. SPEAKER :**

The committee on Roads to whom was referred the petition of sundry citizens of Howard and Tipton counties, asking for the location of a State road therein named, have had the same under consideration, and being satisfied that said petitioners have complied with the requisitions of an act requiring notice to be given of such intended application, &c., approved January 16, 1849, and instructed me to report the following bill and recommend its passage:

No. 425. A bill to locate a State road in the counties of Tipton and Howard;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Bradley, chairman of the committee on Corporations, made the following report:

**MR. SPEAKER :**

The committee on Corporations to whom was referred Senate bill No. 157, "an act to consolidate and publish in one act the several acts incorporating the city of Lawrenceburgh and to revise and amend the same," have had the same under consideration and have instructed me to report the same back to the House without amendment and respectfully to recommend its passage;

The bill was ordered to a third reading.

Mr. Bradley chairman of the committee on Corporations made the following report:

**MR. SPEAKER :**

The committee on Corporations to whom was referred bill No. 383, "a bill to incorporate the Franklin Insurance Company," have

had the same under consideration, and have instructed me to report the same back to the House without amendment and respectfully to recommend its passage;

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Donaldson from the committee on Corporations made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred House bill No. 377, an act to authorize the formation of Gas Light Companies, have had the same under consideration, and have directed me to report the same back without amendment and respectfully recommend its passage;

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Edwards from a select committee made the following report:

MR. SPEAKER:

The select committee to whom was referred Senate bill No. 184, entitled, "an act to incorporate the Belleville Branch Railroad Company," have considered the same, and directed me to report it back to the House without amendment and recommend its passage;

On motion by Mr. Edwards,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Hicks from a select committee made the following report:

MR. SPEAKER:

The select committee to which was referred the petition of citizens of Johnson county, asking to have the office of county Auditor of said county reinstated, have had the subject under consideration, and directed me to report the same back to the House accompanied with the following bill, the passage of which is recommended, and the committee ask to be discharged from the further consideration of the subject;

No. 426. A bill to reinstate the office of County Auditor in the county of Johnson;

Was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Lawrence from a select committee made the following report:

**MR. SPEAKER :**

The select committee to whom was referred the petition of sundry citizens of the town of Dublin, in Wayne county, praying for the passage of a law defining the boundaries of said town, have had the same under consideration and directed me to report the following bill and respectfully recommend its passage:

No. 427. A bill to amend the charter of the town of Dublin, in Wayne county;

Which was read three several times the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

#### **BILLS INTRODUCED.**

By Mr. Jones;

No. 428. A bill to repeal an act entitled "an act to regulate the practice of law in the Lagrange Circuit Court."

By Mr. Patterson of Marshall;

No. 429. A bill surrendering the right of way to Railroad Companies across swamp lands;

Which were each read a first, second and third times the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Pancake;

No. 430. A bill to incorporate the Goshen and Fort Wayne Railroad Company;

Which was read a first and second times, the rule being suspended therefor, and

On motion,

Referred to the committee on Corporations.

By Mr. Hosbrook;

No. 431. A bill to authorize the State Auditor to lease the buildings on the Governor's Circle;

Which was read a first time,

On motion,

The rule was suspended and the bill read a second time.

Mr. Williamson moved to indefinitely postpone the bill.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Bulla, Chapman, Davis of Scott, Edwards, Elkins, Franklin, Gentry, Hamilton, Humphreys, Jackson, Johnston, McMakin, Millikan, Peckenpaugh, Reynolds, Shook, Stayner, Usher, Watson, Watt and Williamson—21.

*Those who voted in the negative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Campbell, Caylor, Clark, Coburn, Conner, Cowan, Cox, Crim, Davis of Dubois, Donaldson, Essex, Fleece, Hall, Harris, Harrison, Haywood, Hicks, Hosbrook, Houghman, Hubbard, Isom, Jones, Jordan, Lank, Lawrence, Lindsey, Marquess, Marshall, Marvin, McCarty, McClelland, McKim, Mercer, Moore, Morgan, Morrow, Nelson, Painter, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Rice, Riley, Robbins, Ross, Shull, Simler, Stone, Schwartz, Swihart of Wabash, Thompson of Carroll, Thorn, Walls, Watts, Willard, Withers, and Mr. Speaker—64.

So the bill was not indefinitely postponed.

On motion by Mr. Usher,

The bill was referred to the committee on the Judiciary.

By Mr. Mercer;

No. 432. A bill to amend an act entitled an act to incorporate the Buffalo and Mississippi Railroad Company, approved February 6, 1835, and the several acts amendatory thereof,

Which was read a first and second times, the rule being suspended therefor, and referred to the committee on Corporations.

By Mr. Graff;

No. 433. A bill to amend the charter of the Evansville and Illinois Railroad Company,

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Caylor;

No. 434. A bill reducing fees for taking acknowledgments of mortgages to the Trust funds,

Which was read a first and second times, the rule being suspended therefor,

Mr. Caylor moved to amend by striking out "12" and inserting "10" cents,

Which was adopted.

On motion by Mr. Dumont,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.



On motion,

The order of business was suspended,

Mr. Patterson of Tippecanoe, from the committee on Colonization, made the following report:

MR. SPEAKER:

The committee on Colonization to whom was referred "so much of the Governor's Message as relates to colonization," have had that subject under consideration, and instructed me to report the following joint resolution, and respectfully recommend its passage:

No. 435. A joint resolution in relation to the Slave Trade.

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Rice;

No. 436. A bill to incorporate the Orleans, Paoli and Cannelton Railroad Company,

Which was read a first and second times, the rule being suspended therefor, and referred to the committee on Corporations.

By Mr. Armstrong;

No. 437. A bill amendatory and supplemental to an act to incorporate the Vevay, Mt. Sterling, and Versailles Turnpike Road Company, approved January 4, 1850,

Which was read a first and second times, the rule being suspended therefor, and ordered to be engrossed.

On motion,

The order of business was suspended,

Mr. Patterson of Tippecanoe, from the committee on Colonization, made the following report:

MR. SPEAKER:

The committee on Colonization, to whom was referred the petition of H. B. Wilson, and seventy four others of Floyd county, asking an appropriation of money by this State to purchase territory on the coast of Africa for the colonization of free persons of color of this State, have had the subject under consideration, and instructed me to report that in the opinion of the committee it is not expedient, under the present embarrassed state of our Treasury, to grant the prayer of the petitioners, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

By Mr. Morrow;

No. 438. A bill to authorize Joseph Morrow, Silas Park, and

Robert Wilson, Commissioners appointed by the Grant Probate court, to sell the real estate of William Wallace, deceased, at private sale.

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended,

Mr. Thompson of Carroll, presented the petition of citizens of said county on the subject of a road,

Which,

On motion,

Was referred to the committee on Corporations.

By Mr. Bradley;

No. 439. A bill to enable John Travis of Laporte county, to prosecute a suit for a divorce,

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

A Message from the Senate by Mr. Emerson, their Secretary.

#### MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills of the House, with sundry amendments:

No. 165. An act to amend chapter 7, article 1, section 2 of the Revised Code.

No. 188. An act to repeal part of the 31st section of an act to increase and extend the benefits of Common Schools.

No. 266. An act to incorporate the Central Michigan Plank Road Company.

No. 303. An act to incorporate the Franklin and Shelbyville Plank Road Company.

No. 305. An act in relation to the sale of spirituous liquors in Johnson county.

No. 358. An act to incorporate the Vernon Life, Trust, Trading and Manufacturing Company.

In which amendments the concurrence of the House of Representatives is respectfully requested.

The amendments of the Senate to bills Nos. 165 and 188, contained in the foregoing message, were concurred in.

Ordered that the Clerk inform the Senate thereof.

The amendments of the Senate to Nos. 266, 302, 305, and 358, in the foregoing message, were concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bills thereof, viz :

No. 225. An act to change the name of Howard Allen to Howard Werts.

No. 232. An act to amend the common school law.

No. 254. An act to incorporate the Aurora and Hartford Turnpike Company.

No. 261. An act amendatory of an act entitled an act to incorporate the Ohio and Mississippi Railroad Company.

No. 267. An act in relation to the sale of spirituous liquors in Jefferson township, in Wayne county.

In which the concurrence of the House is respectfully requested.

No. 225, in the foregoing message, was read a first time.

On motion by Mr. Mercer,

The rule was suspended, the bill read a second and third times and passed.

Ordered that the Clerk inform the Senate thereof.

Nos. 232, 254, and 261, in the foregoing message, were severally read a first time and passed to a second reading.

No. 267, in the message, was read a first and second times, the rule being suspended therefor, and ordered to a third reading.

A message from the Senate, by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bill thereof :

No. 260. An act to incorporate the Columbus Plank Road Company.

In which the concurrence of the House is respectfully requested.

The bill was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary.

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House without amendment :

No. 387. An act for the relief of John J. Cummins.

## HOUSE BILLS ON THIRD READING.

No. 110. A bill to amend article 4 of chapter 45, Revised Laws of 1843, on the subject of partition;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 351. A bill for the relief of the assignees of J. and E. L. Beard;

Was read a third time.

Mr. Goodwin moved a call of the House.

Which motion did not prevail.

The question being, shall the bill pass?

The ayes and noes were demanded by two members.

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Caylor, Chapman, Clark, Conner, Cowan, Donaldson, Goodwin, Graff, Harris, Harrison, Hosbrook, Hubbard, Hutchinson, Jones, Lewis, Marquess, McCarty, McClelland, McMakin, Moore, Morrow, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Rice, Ross, Simler, Swihart of Wabash, Williamson, Withers, and Wittenmeyer—37.

*Those who voted in the negative were,*

Messrs. Brown of Pike, Brown of Shelby, Campbell, Carr, Cox, Crim, Davis of Dubois, Davis of Scott, Edwards, Essex, Fleece, Gentry, Hall, Haywood, Hicks, Houghman, Isom, Jackson, Johnston, Jordan, Lank, Lawrence, Lindsey, Marshall, McKim, Millikan, Morgan, Nelson, Painter, Peckenpaugh, Riley, Robbins, Shook, Shull, Schwartz, Thorn, Walls, Watson, Watt, Watts, and Willard—42.

So the bill did not pass.

Mr. Shull moved to suspend the order of business, take from the table and place on the files of the House,

No. 118. A bill describing the boundaries of the county of Blackford.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Campbell, Carr, Caylor, Chapman, Clark, Conner, Cowan, Cox, Davis of Dubois, Davis of Scott, Donaldson, Elkins, Essex, Fleece, Gentry, Hall, Harris, Harrison, Haywood, Hicks, Hosbrook, Houghman, Jackson, Jones, Lindsey, Marquess, McMakin, Mercer, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Riley, Shook,

Shull, Simler, Swihart of Wabash, Thorn, Watt, Watts, Willard, Withers, and Wittenmeyer—50.

*Those who voted in the negative were,*

Messrs. Benson, Bulla, Edwards, Goodwin, Hammond, Hubbard, Johnston, Jordan, Lank, Lawrence, Marshall, McCarty, McKim, Millikan, Moore, Morrow, Peckenpaugh, Robbins, Ross, Schwartz, and Usher—21.

So the order was suspended and the bill placed on file.

On motion by Mr. Bradley,

Joint resolution No. 114. A joint resolution in relation to the payment of the accounts made by the Constitutional Convention of this State, and for other purposes,

Was taken up.

On motion,

The rule was suspended and the joint resolution read a second and third times.

The question being, Shall the joint resolution pass?

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were.*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Campbell, Carr, Chapman, Clark, Coburn, Conner, Cowan, Cox, Crim, Davis of Dubois, Donaldson, Elkins, Essex, Gentry, Goodwin Hall, Hamilton, Harris, Harrison, Haywood, Hicks, Hosbrook, Houghman, Hubbard, Humphreys, Isom, Jones, Jordan, Lawrence, Lindsey, Marquess, Marshall, Marvin, McCarty, McClelland, McMakin, Mercer, Millikan, Moore, Morgan, Nelson, Pancake, Patterson of Marshall, Rice, Riley, Ross, Shook, Shull, Simler, Schwartz, Swihart of Wabash, Thorn, Usher, Watson, Watt, Watts, Willard, Withers, and Wettenmeyer—67.

*Those who voted in the negative were,*

Messrs. Caylor, Davis of Scott, Edwards, Fleece, Franklin, Jackson, Johnston, Lank, McKim, Painter, Patterson of Tippecanoe, Peckenpaugh, and Robbins—13.

So the joint resolution passed.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representa-

tives that the Senate have passed the following engrossed bills of the House, without amendment:

No. 12. An act to amend section 11, chapter 56, of Revised Statutes of 1843, authorizing Coroners to pay the expenses of inquest and burial;

No. 153. An act for the relief of Dempsey Linton;

No. 216. An act to amend an act to increase and extend the benefits of common schools;

No. 275. An act to change a portion of a certain State road therein named, in the counties of Boone and Hamilton;

No. 298. An act authorizing the administrator and widow of Josiah F. Oaks, deceased, to execute certain deeds of quit claim;

No. 313. An act authorizing certain persons therein named, to erect a toll bridge across the west fork of White river, at or near the falls in Morgan county;

No. 324. An act authorizing the election of a Supervisor of roads in Laurel township, in Franklin county;

No. 326. An act to change the name of the town of Portland in Hancock county, to that of Cleveland, and to incorporate the same.

No. 340. An act to change the time of holding Probate Courts in the county of Jasper;

No. 367. An act to repeal certain acts therein named, and for other purposes, in Allen county;

No. 379. An act to legalize certain roads in Clinton county;

Mr. Elkins from the committee on Enrolled Bills, made the following report:

**MR. SPEAKER:**

The committee on Enrolled Bills, have compared bills Nos. 317, 332, 299, 214, 247, 230, 286, 24, and 280.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Gentry from the committee on Enrolled Bills, made the following report:

**MR. SPEAKER:**

The committee on Enrolled Bills, have examined the following engrossed bills of the House, and find them correctly enrolled, to-wit: Nos. 283, 272, 251, 300, 246;

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Conner from the committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The committee on Enrolled Bills, have compared the following enrolled with the engrossed bill of the House, and find it correctly enrolled, to-wit:

No. 182. An act to amend an act entitled "An act to incorporate the Peru and Indianapolis Railroad Company;"

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Shook, chairman of the committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The committee on Enrolled Bills, have examined the following, and find them correctly enrolled:

No. 187. An act to enable the citizens of Orange township, Fayette county, to elect an additional Justice of the Peace, so as to reside in the south part of said township;

No. 209. An act providing for the sale of school section in Congressional township No. 28, north of range No. 4 west, lying in the county of White;

No. 263. An act authorizing the board of commissioners of Howard county, to cause a record to be made of a certain State road therein named;

No. 290. An act to locate a State road from Pleasant Grove, in Fulton county, by the way of the Fulton Steam mill, to Perrysburg, in Miami county;

No. 295. A bill to locate a State road in the counties of Crawford and Perry;

No. 315. An act to change the name of the Madison and Napoleon Turnpike Company;

No. 368. An act to amend an act entitled "an act creating the Marion Court of Common Pleas, approved January 4, 1849.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the report of the committee of Free Conference, appointed to take into consideration the disa-

greement of the two Houses, in relation to the engrossed amendment of the House to engrossed bill of the Senate, entitled, . . .

No. 103. An act to authorize the Governor, Auditor, and Treasurer of State, to borrow money to pay the interest due on the funded debt, on the first day of July next, and to defray the expenses of the Constitutional Convention.

On motion by Mr. Ross,

The House adjourned to meet to-morrow morning at half-past 8 o'clock.

## SATURDAY MORNING, February 8, 1851.

House met.

On motion,

The reading of the Journal was dispensed with.

On motion by Mr. Jordan,

A call of the House was ordered.

After spending some time in the call,

On motion by Mr. McClelland,

A further call of the House was dispensed with.

On motion,

The joint select committee on the affairs of the Insane Asylum, were excused from attendance at the Hall of the House, for the remainder of the forenoon.

A message from the Senate by Mr. Emerson, their Secretary;

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, without amendment:

No. 65. A joint resolution on the subject of appropriating money for the erection of public buildings;

No. 173. An act for the relief of Andrew Morgan of Dearborn county;

No. 241. An act for the relief of Harvey Bates of the county of Marion;

No. 279. An act to incorporate the Blountsville and Montpelier Plank Road Company;



No. 306. An act to amend an act entitled an act to compel non-residents to pay a tax equal to that paid by residents in the county of Whitley, approved January 14, 1850.

No. 347. An act to authorize the draining of wet lands in Miami, Allen, Huntington and St. Joseph.

No. 352. An act providing for a certain road therein named.

No. 366. An act to amend an act entitled an act to incorporate the Ohio and Indiana Railroad Company, approved January 15, 1851.

No. 374. An act to extend the provisions of an act to enable the qualified voters of district No. 4, in town No. 31, north of range 6 east, in Kosciusko county, to levy a tax on said district sufficient to build a school house, approved January 21, 1850, to the several school districts in Fulton county.

No. 375. An act for the benefit of the Indiana Hospital for the Insane.

No. 380. An act for the relief of Harmon N. Kress of Clay county.

No. 389. An act to incorporate the German Union Support Society of Jefferson county.

No. 397. An act authorizing the sale of section 16, in town No. 8, north of range 5 east, in the county of Bartholomew.

No. 408. An act to extend the February and October terms of the Marion Probate Court.

No. 410. An act to repeal an act establishing an additional place of holding elections in certain counties therein named, approved Dec. 21, 1849, so far as the county of Greene is concerned.

No. 411. An act to authorize the board doing county business in Tipton county, to change the burial ground for the town of Tipton.

No. 404. An act amendatory of the several acts relating to the city of Logansport, approved January 17, 1839, January 13, 1845, and January 14, 1848.

No. 419. An act to amend an act to provide for the election of township assessors and collectors in the county of Jennings, and for other purposes, approved Feb. 12, 1848.

#### PETITIONS, MEMORIALS, &C.

By Mr. Jackson;

A remonstrance against a petition for a road from Tipton, in Tipton county, to Frankfort, in Clinton county;

Which,

On motion,

Was referred to the committee on roads.

On motion by Mr. Hicks,

A call of the House was ordered.

On motion by Mr. Goodwin,

The absentees were sent for, to wit:

Messrs. Armstrong, Bradley, Caylor, Coburn, Crim, Franklin, Harrison, Johnston, McMakin, Millikan, Morrow, Patterson of Tippecanoe, and Rice.

Mr. Edwards moved that the following entry be made upon the Journals:

That Mr. Goodman of Vigo is now, and has been detained from this House since the adjournment, on Monday last, on account of sickness;

Which motion prevailed.

On motion,

The further call of the House was dispensed with.

#### REPORTS OF COMMITTEES.

Mr. Hamilton, from the committee on apportionment, made the following report:

MR. SPEAKER:

The committee to which was referred bill of the Senate No. 172, have had the same under consideration, and made three amendments thereto, and direct me to return the same to the House, with said amendments, and recommend its passage, and ask to be discharged from the further consideration of the same.

Amend in the 21st line by striking out "and Boone."

And in the 25th line after the word "Hendricks," insert the word "Boone."

And in the 24th line strike out "Clay" where it occurs, and insert in the same line, after Putnam, "and Clay."

And in the 2d section, 42d line, amend so as to transfer the float from Vigo to Parke.

Which were concurred in.

The following amendment was offered by Mr. Marvin:

Strike out Boone after Hendricks, and insert so as to read, "Boone, Hamilton and Tipton."

Which was not adopted.

Mr. Edwards offered the following amendment:

No. 5. Amend so that Sullivan shall elect one Representative all the time, and that one of the two Representatives now given to Sullivan, shall float alternately, between Vigo and Sullivan, beginning with Vigo.

Mr. McClelland offered the following amendment to the amendment:

Amend so as to take from Sullivan in the year 1851 one representative, and give it to Clinton as a float.

Which was not adopted.

The question being on the adoption of the amendment of Mr. Edwards,

Was decided in the negative.

Mr. Thorn offered the following amendment:

Amend by inserting in the proper place, that Daviess and Martin shall elect one Representative jointly in the year 1851, and Knox two Representatives, and Knox, Daviess and Martin shall elect one Representative each for the years 1852, '3, '4, and '5.

Which was not adopted.

Mr. Robbins offered the following amendment:

Amend by transferring the float from Clay to Parke.

Which was not adopted.

Mr. Edwards offered the following amendment:

Amend so there shall be but 35 Senators and 65 Representatives elected.

Which was not adopted.

Mr. Chapman offered the following amendment:

Strike out from the enacting clause and insert the following:

That in the year 1851, the several counties and representative districts in this State, shall elect and be entitled to the same number of Representatives to which they were entitled for the year 1850.

SEC. 2. The several senatorial districts shall be and remain as they are now organized by law.

The question being on the adoption of the amendment.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Benson, Bradley, Brown of Pike, Brown of Shelby, Campbell, Carr, Caylor, Chapin, Clark, Cowan, Cox, Davis of Dubois, Essex, Fleece, Franklin, Hall, Hamilton, Harris, Haywood, Hosbrook, Houghman, Hubbard, Humphreys, Isom, Jackson, Johnston, Jordan, Lank, Lindsey, Marvin, McCarty, McClelland, McKim, McMakin, Millikan, Moore, Morgan, Morrow, Nelson, Painter, Patterson of Tippecanoe, Peckenpaugh, Phillips, Reynolds, Riley, Robbins, Shook, Swihart of Huntington, Thompson of Carroll, Thorn, Usher, Walls, Watt, Watts, Willard, Withers, Wittenmeyer, and Mr. Speaker—58.

*Those who voted in the negative were,*

Messrs. Armstrong, Bird, Blue, Bulla, Conner, Crim, Davis of Scott, Donaldson, Edwards, Elkins, Gentry, Goodwin, Hammond, Harrison, Hicks, Jones, Lawrence, Marquess, Marshall, Mercer, Pancake, Patterson of Marshall, Ross, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Wabash, Watson, and Williamson—31.

So the amendment was adopted.

Mr. Chapman moved the previous question.

Which was seconded by the House.

The question then being, Shall the main question be now put?

Was decided in the affirmative.

The main question being, shall the bill be ordered to a third reading?

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Benson, Bradley, Brown of Pike, Brown of Shelby, Campbell, Carr, Caylor, Chapman, Clark, Cowan, Cox, Davis of Dubois, Essex, Fleece, Franklin, Gentry, Hall, Hamilton, Harris, Haywood, Hicks, Hosbrook, Houghman, Hubbard, Humphreys, Isom, Jackson, Johnston, Jordan, Lank, Lindsey, Marvin, McCarty, McClelland, McKim, McMakin, Millikan, Moore, Morgan, Morrow, Nelson, Painter, Patterson of Tippecanoe, Peckenpaugh, Phillips, Reynolds, Riley, Robbins, Shook, Swihart of Huntington, Thompson of Carroll, Thorn, Usher, Walls, Watson, Watt, Watts, Willard, Withers, Wittenmeyer, and Mr. Speaker—61.

*Those who voted in the negative were,*

Messrs. Armstrong, Bird, Blue, Bulla, Conner, Crim, Davis of Scott, Donaldson, Edwards, Elkins, Goodwin, Hammond, Harrison, Hutchinson, Jones, Lawrence, Marquess, Marshall, Mercer, Pancake, Patterson of Marshall, Ross, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Wabash, and Williamson—29.

So the bill was ordered to a third reading.

Mr. Goodwin, from a select committee, made the following report :

MR. SPEAKER :

The committee to whom was referred bill of the House No. 289, have had the same under consideration, and direct me to return the same and recommend that it be laid on the table, and ask to be discharged from the further consideration of the same.

Which was concurred in.

Mr. Watts, from a select committee, made the following report :

MR. SPEAKER :

The committee to which was referred the subject of ascertaining the distance each member of this House resides from the capital, have duly considered the subject, and have directed me to report

that said committee can furnish no additional information than can be given the Speaker by each member of this House, and the committee ask to be discharged from the further consideration of the subject.

Which was concurred in.

On motion,

The order of business was suspended, and,

Mr. Hicks introduced

No. 440. A bill to amend an act entitled an act for the call of a convention of the people of the State to revise, amend or alter the Constitution of this State.

Which was read a first and second times, the rule being suspended therefor.

Mr. Edwards offered the following amendment:

Amend by providing that the vote to adopt or reject said Constitution [be taken] on the 1st Monday of June, 1851, instead of the 1st Monday of August of this year.

Mr. Humphreys moved to lay the amendment on the table.

The question being on laying the amendment on the table,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Campbell, Carr, Chapman, Cowan, Cox, Crim, Davis of Dubois, Davis of Scott, Donaldson, Elkins, Essex, Gentry, Goodwin, Hall, Harris, Haywood, Hicks, Hosbrook, Houghman, Hubbard, Humphreys, Isom, Jackson, Jones, Lawrence, Lindsey, Marquess, Marshall, Marvin, McClelland, McKim, McMakin, Mercer, Morgan, Nelson, Painter, Pancake, Patterson of Tippecanoe, Patterson of Marshall, Rice, Riley, Shook, Shull, Simler, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thorn, Walls, Watson, Watts, Willard, Williamson, Withers, and Wittenmeyer—64.

*Those who voted in the negative were,*

Messrs. Caylor, Clark, Edwards, Fleece, Hamilton, Hammond, Harrison, Hicks, Johnston, Jordan, McCarty, Millikan, Moore, Morrow, Peckenpaugh, Phillips, Robbins, Stayner, Usher, and Watt—20.

So the amendment was laid upon the table.

Mr. Edwards offered the following amendment:

Amend so that the election to adopt or reject the New Constitution shall be held on the 4th Monday of June, 1851.

Which,

On motion by Mr. Humphreys,

Was laid upon the table.

Mr. Marvin moved to suspend the rule.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Campbell, Carr, Clark, Cowan, Cox, Crim, Davis of Dubois, Davis of Scott, Donaldson, Elkins, Essex, Gentry, Goodwin, Hall, Harris, Haywood, Hicks, Hosbrook, Houghman, Hubbard, Humphreys, Isom, Lawrence, Lindsey, Marquess, Marshall, Marvin, McClelland, McKim, McMakin, Mercer, Moore, Morgan, Morrow, Nelson, Painter, Patterson of Tippecanoe, Peckenpaugh, Reynolds, Rice, Riley, Ross, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Thorn, Watson, Watts, Willard, Williamson, Withers, Wittenmeyer, and Mr. Speaker—65.

*Those who voted in the negative were,*

Messrs. Caylor, Chapman, Conner, Edwards, Fleece, Hamilton, Hammond, Johnston, Jones, Jordan, Lank, Millikan, Pancake, Phillips, Robbins, Shook, Thompson of Carroll, Usher, Walls, and Watt—19.

So the rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

Mr. Caylor introduced

No. 441. A bill for the relief of persons who have suffered by the destruction of the Justice's docket of Joseph F. Marshall, a Justice of the Peace of the county of Hancock, on the 24th of December, 1850.

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended,

Mr. Essex, from the committee on Claims, made the following report:

**MR. SPEAKER:**

The committee on Claims to whom was referred the claim of John Lister, have had the same under consideration, and there being no evidence offered to support said claim, I am directed to refer the same back, and recommend that said claim be not allowed.

Which was concurred in.

Mr. Gentry from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of citizens of the county of Monroe, praying for a State road from Bloomington in said county, by way of the Indian Springs to Dover Hill, in Martin county, have directed me to report that as the prayer of said petitioners has already been granted, that further legislation upon that subject is inexpedient, and ask to be discharged from its further consideration.

Which was concurred in.

On motion by Mr. Gentry,

Leave was given him to withdraw the petition referred to in his above report.

Mr. Jackson from a select committee, made the following report:

MR. SPEAKER:

The select committee to whom was referred a petition for a State road from Tipton in Tipton county, to Frankfort in the county of Clinton, have had the same under consideration, and recommend its reference to the committee on Roads, and ask to be discharged.

Which was concurred in.

#### BILLS &C., INTRODUCED.

By Mr. Johnston;

No. 442. A bill to authorize the board of Commissioners of Putnam county to issue bonds.

By Mr. Thompson of Carroll;

No. 443. A bill to aid the collection of the Surplus Revenue in Carroll county,

Which were each read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Patterson of Marshall,

The order of business was suspended,

Mr. Patterson presented a Remonstrance of the citizens of Marshall and Fulton counties on the subject of a road,

Which,

On motion,

Was referred to the committee on roads.

By Mr. Caylor;

No. 444. A bill for the benefit of James W. Edmonson of Hancock county,

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Usher,

The chairman of the committee on the Judiciary was ordered to return No. 431, which was referred to said committee on yesterday.

By Mr. Goodwin;

No. 445. A bill for the relief of Michael Riley of the county of Daviess,

Which was read a first time,

On motion,

The rule was suspended, the bill read a second time, and

On motion,

Referred to the committee on Claims.

By Mr. McMakin;

No. 446. A bill to vacate certain streets in the town of Crawfordsville,

Which was read a first, second and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Lank;

No. 447. A bill to amend the several acts in regard to lands mortgaged to the different Trust funds of this State,

Which was read a first time,

On motion,

The rule was suspended, the bill read a second time, and

On motion by Mr. Chapman,

Referred to the committee on the Judiciary.

By Mr. Ross;

No. 448. A bill to incorporate the White Water Railroad Company,

Which was read a first time,

On motion,

The rule was suspended, the bill read a second time, and referred to the committee on Corporations.

#### ORDERS OF THE DAY.

A Message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate have refused to concur in the engrossed amendments of the House to engrossed bill of the Senate,

No. 159. An act to authorize the township trustees of Lawrenceburgh township, Dearborn county, to assess and collect a free bridge tax.



Upon the reading of bill No. 159, contained in the foregoing message,

Mr. Clark presented a petition signed by some 400 of the voters of said township, and

Mr. Dumont moved that the House recede from their amendment ;  
Which motion prevailed.

On motion,

Leave was given Mr. Dumont, to withdraw from the files of the House said petition.

On motion by Mr. Jones,

The petition of John F. Latoomb, was withdrawn from the files of the House.

On motion by Mr. Johnston,

Leave was given him to withdraw from the files of the House the petition from Putnam county, on the subject of county auditor's fees.

A Message from the Senate by Mr. Emerson, their Secretary.

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, with sundry amendments :

No. 156. An act to amend an act entitled "an act to incorporate the Ohio and Mississippi Railroad Company, approved January 15, 1849," so far as relates to the county of Daviess ;

No. 342. An act amendatory to an act entitled "an act to increase and extend the benefits of common schools, approved January 17, 1849 ;

No. 276. A bill for the better improvement of highways in the counties of Carroll and DeKalb ;

In which amendments the concurrence of the House is respectfully requested.

The amendments of the Senate to bills No. 156 and 342, contained in the foregoing message,

Were concurred in.

On motion by Mr. McClelland,

The vote concurring in the amendments of the Senate to bill No. 156, was reconsidered.

The question being on the adoption of the amendments of the Senate to No. 156,

A division of the question was called for.

The first amendment of the Senate was concurred in.

The second amendment of the Senate was not adopted.

Ordered that the Clerk inform the Senate thereof.

The amendment of the Senate to No. 276, was concurred in.

A message from the Senate by Mr. Emerson, their Secretary :

## MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills thereof:

No. 268. An act to exempt guardians from the payment of Clerk's fees in certain cases ;

No. 270. An act to authorize the commissioners of Ohio county to collect tolls at a certain bridge therein named ;

No. 271. An act to amend an act entitled "an act to incorporate the city of Richmond, Wayne county, Indiana, approved February 24, 1840 ;

No. 273. An act in relation to State roads in Johnson county ;

No. 276. An act to locate a State road in Warren and Fountain counties ;

In which the concurrence of the House is respectfully requested.

Nos. 268, 271, and 276, in the foregoing message,

Were severally read a first time and passed to a second reading.

No. 270, in the message,

Was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

No. 273, in the message,

Was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

## HOUSE BILLS ON THIRD READING.

No. 355. A bill to attach the south half of section No. 5 in township 3, in range 8 east, to the county of Scott ;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Davis of Scott,

The vote on the passage of No. 355, was reconsidered.

The question then being, " Shall the bill pass ? "

Was decided in the affirmative.

Ordered that the Clerk inform the Senate thereof.

No. 371. A bill declaring a certain name a misprint ;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 373. A bill to amend an act entitled "an act concerning free negroes and mulattoes, servants, and slaves, approved January 10, 1831 ;

Was read a third time.

Mr. Dumont offered the following amendment :

*Provided, however,* That no negro shall be arrested or brought to trial under this act, until a reasonable notice has been given him in writing, to be served by the sheriff of the county, or some constable thereof, of the existence of this act, and which notice shall require him to depart the State.

*And Provided, further,* That said imprisonment shall cease whenever any Judge or Justice of the Peace shall be made satisfied that it is bona fide the intention of the negro to depart this State in accordance with our laws, and shall order his discharge to give him an opportunity of so doing. If he should fail after being discharged, after a reasonable time, he may be re-arrested and punished.

Which was adopted by unanimous consent.

Mr. Chapman moved to re-commit the bill with the following instructions:

Strike out all that relates to the imprisonment of persons of color, and insert a provision that all contracts made, shall be absolutely void, and all property by them acquired, shall become forfeited to the common school fund of the respective counties.

Mr. Brown of Shelby called the previous question,

Which was seconded by the House.

The question then being, Shall the main question be now put?

Was decided in the affirmative.

The main question being, Shall the bill pass?

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Bradley, Brown of Pike, Brown of Shelby, Campbell, Carr, Clark, Cowan, Crim, Davis of Dubois, Davis of Scott, Edwards, Elkins, Essex, Fleece, Gentry, Goodman of Vigo, Goodwin of Daviess, Hall, Hamilton, Harris, Hicks, Houghman, Humphreys, Isom, Johnston, Marquess, Marvin, McClelland, McKim, McMakin, Morgan, Nelson, Painter, Peckenpaugh, Rice, Ross, Simler, Schwartz, Swihart of Wabash, Thorn, Walls, Watson, Willard, Williamson, and Withers—47.

*Those who voted in the negative were,*

Messrs. Benson, Blue, Bulla, Chapman, Coburn, Conner, Donaldson, Harrison, Haywood, Hosbrook, Hubbard, Jones, Jordan, Lank, Lawrence, Lindsey, Marshall, McCarty, Mercer, Millikan, Moore, Morrow, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Phillips, Reynolds, Riley, Robbins, Shook, Shull, Stayner, Stone,

Thompson of Carroll, Usher, Watt, Watts, Wittenmeyer and Mr. Speaker—39.

So the bill passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Brown of Shelby,

The House adjourned until 1½ o'clock, P. M.

1½ o'clock, P. M.

House met.

On motion by Mr. Willard,

A call of the House was ordered.

After spending some time in the call,

Mr. Watts moved to suspend a farther call of the House;

Which motion did not prevail.

On motion,

Messrs. Goodman and Schwartz were granted leave of absence on account of sickness.

On motion by Mr. Robbins,

A farther call of the House was suspended.

On motion,

The order of business was suspended, and

On motion by Mr. Hicks,

*Resolved*, That the Senate be invited to attend in the Hall of the House of Representatives instantler, to elect by joint viva voce vote, two Commissioners for the Hospital for the Insane.

No. 398. A bill to more effectually prevent the sale of spirituous liquors.

Mr. Goodwin moved to lay the bill on the table, and print 200 copies.

The Senate came into the Hall of the House, and in Joint Convention proceeded by viva voce vote, to the election of two Trustees for the Hospital for the Insane, one to fill the vacancy occasioned by the resignation of Mr. J. S. Bayless, the other to fill the vacancy occasioned by the expiration of the term of service of E. J. Peck.

The Convention determined to elect separately, and proceeded to the election of a Trustee to fill the vacancy occasioned by the resignation of J. S. Bayless.

*Those who voted for Mr. Brady were,*

Messrs. Adams, Athon, Berry, Brugh, Cravens, Dawson, Day, Eddy, English, Hamrick, Hardin, Henton, Herod, Holloway, Hunt, James, Marshall, McCarty, Mickle, Miller, Niblack, Porter, Sleeth, Teegarden, Turman, Walker, Winstandley and Woods, of the Senate—26; and

Messrs. Armstrong, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Campbell, Carr, Cox, Davis of Scott, Donaldson, Edwards, Elkins, Essex, Gentry, Graff, Hall, Hamilton, Harris, Haywood, Hicks, Hosbrook, Houghman, Hubbard, Humphreys, Hutchinson, Jackson, Johnston, Jordan, Lank, Lawrence, Lewis, Lindsey, Marshall, Marvin, McCarty, McClelland, McMakin, Mercer, Millikan, Moore, Morgan, Morrow, Nelson, Painter, Pancake, Peckenaugh, Phillips, Ross, Shull, Stayner, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Usher, Watson, Watts, Willard, Williamson, and Withers, of the House of Representatives—62—Total 88.

*Those who voted for James S. Harrison were,*

Messrs. Defrees, Delevan, Dole, Dunn, Ellis, Harvey, Kinnard, Knowlton, and Montgomery, of the Senate—9.

And Messrs. Benson, Chapman, Clark, Conner, Crawford, Davis of Dubois, Fleece, Goodwin, Hammond, Harrison, Isom, Jones, Marquess, McKim, Patterson of Marshall, Reynolds, Rice, Riley, Robbins, Shook, Simler, Thompson of Carroll, Thorn, Walls, Watt, and Wittenmeyer, of the House of Representatives—26—Total 37.

Mr. Brady having received a majority of all the votes given, was declared duly elected one of the Commissioners of the Hospital for the Insane, to serve as such from and during the unexpired term of John S. Bayless, resigned.

The Joint Convention then proceeded to the election of one Trustee to fill the vacancy about to occur by the expiration of the term of service of Edwin J. Peck.

*Those who voted for Edwin J. Peck were,*

Messrs. Alexander, Athon, Day, Defrees, Dole, Eddy, Ellis, English, Hamrick, Harvey, Henton, Herod, Holloway, Kinnard, Knowlton, Logan, Marshall, Mickle, Milliken, Montgomery, Odell, Porter, Sleeth, Teegarden, Walker, and Winstandley, of the Senate—26.

And Messrs. Bird, Brown of Pike, Bulla, Carr, Coburn, Edwards, Elkins, Essex, Graff, Hicks, Hubbard, Hutchinson, Jackson, Johnston, Jordan, Lank, Lawrence, Lewis, Marshall, McMakin, Millikan, Morrow, Pancake, Phillips, Robbins, Ross, Stayner, Stone, Schwartz, Usher, Watts, Willard, and Williamson, of the House of Representatives—33—Total 59.

*Those who voted for James S. Harrison were,*

Messrs. Adams, Brugh, Cravens, Delevan, Hunt, and McCarty, of the Senate, 6—and

Messrs. Armstrong, Benson, Brown of Shelby, Campbell, Clark, Cox, Davis of Scott, Fleece, Gentry, Goodwin, Hall, Hamilton, Harris, Harrison, Hosbrook, Houghman, Humphreys, Isom, Jones, Marquess, Marvin, McCarty, McClelland, McKim, Mercer, Morgan, Nelson, Painter, Patterson of Marshall, Peckenpaugh, Reynolds, Rice, Riley, Shook, Shull, Simler, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thorn, Walls, Watt, Wilson, Withers, Wittenmeyer, and Mr. Speaker, of the House of Representatives—46—Total 52.

*Those who voted for Demas L. McFarland were,*

Messrs. Dawson, Hardin, and Miller, of the Senate, and

Messrs. Bradley, Chapman, Davis of Dubois, and Watson, of the House of Representatives—7.

*Those who voted for Mr. Hunt were,*

Mr. Niblack of the Senate, and

Messrs. Blue, Conner, Crawford, Donaldson, Hammond, Haywood, Lindsey, and Moore, of the House of Representatives—9.

No person having received a majority of all the votes given, the joint convention proceeded to a second ballot.

*Those who voted for Edwin J. Peck were,*

Messrs. Day, Defrees, Dole, Eddy, Ellis, English, Hamrick, Harvey, Herod, Holloway, Kinnard, Knowlton, Marshall, Mickel, Montgomery, Porter, Sleeth, Teegarden, Walker, and Winstandley, of the Senate, 20—and

Messrs. Bird, Blue, Bulla, Carr, Coburn, Conner, Cowan, Crawford, Davis of Scott, Donaldson, Edwards, Essex, Fleece, Goodman, Graff, Hammond, Haywood, Hicks, Hubbard, Hutchinson, Jackson, Johnston, Jordan, Lank, Lawrence, Lindsey, Marshall, McKim, Millikan, Moore, Morrow, Pancake, Peckenpaugh, Phillips, Reynolds, Robbins, Ross, Shull, Stayner, Stone, Schwartz, Swihart of Huntington, Usher, Watson, Watts, Willard, Williamson, Withers, and Mr. Speaker, of the House of Representatives—49—Total 69.

*Those who voted for James S. Harrison were,*

Messrs. Cravens, Delevan, Dunn, McCarty, and Miller, of the Senate, 5—and

Messrs. Armstrong, Benson, Brown of Pike, Brown of Shelby, Campbell, Chapman, Clark, Cox, Davis of Dubois, Elkins, Gentry, Goodwin, Hall, Knowlton, Harris, Harrison, Hosbrook, Houghman, Humphreys, Isom, Jones, Marquess, Marvin, McCarty, McClelland, McMakin, Mercer, Morgan, Nelson, Painter, Patterson of Marshall, Patterson of Tippecanoe, Rice, Riley, Shook, Simler, Swihart of Wabash, Thompson of Carroll, Thorn Walls, Watt, and Wittenmeyer, of the House of Representatives—42—Total 47.

*Those who voted for Andrew M. Hunt were,*

Messrs. Adams, Alexander, Athon, Brugh, Henton, Hunt, and Niblack, of the Senate—7.

*Those who voted for Demas L. McFarland were,*

Messrs. Dawson and Hardin of the Senate, and  
Mr. Bradley of the House of Representatives—3.

Edwin J. Peck, having received a majority of all the votes given, was declared duly elected Trustee of the Hospital for the Insane, to serve as such for the term of six years from and after this date.

The Senate then retired to their Chamber.

The question then being on laying No. 398 on the table and printing 200 copies,

Mr. Hicks called a division of the question.

The question was then put,

Shall the bill be laid on the table?

And decided in the affirmative.

The question then being on printing 200 copies,

Was decided in the negative.

On motion by Mr. Jordan,

The vote by which No. 551, a bill for the relief of E. & J. L. Beard, was lost on its final passage, was reconsidered.

The question being, Shall the bill pass?

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Blue, Bird, Bradley, Brown of Pike, Campbell, Chapman, Clark, Conner, Cowan, Donaldson, Elkins, Essex, Goodwin, Graft, Hamilton, Hammond, Harris, Harrison, Hosbrook, Houghman, Hubbard, Hutchinson, Jackson, Jones, Lewis, Marquess, McCarty, McClelland, McMakin, Moore, Morrow, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Rice, Riley, Ross, Shull, Simler, Stone, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Willard, Williamson, Wittenmeyer, and Mr. Speaker—48.

*Those who voted in the negative were,*

Messrs. Brown of Shelby, Bulla, Carr, Coburn, Cox, Davis of Du-bois, Davis of Scott, Edwards, Fleece, Gentry, Goodman, Hall, Hay-wood, Hicks, Humphreys, Isom, Johnston, Jordan, Lawrence, Lind-sey, Marshall, Marvin, McKim, Millikan, Nelson, Painter, Pecken-paugh, Phillips, Reynolds, Riley, Robbins, Shook, Stayner, Schwartz, Thorn, Usher, Watson, Watts, and Withers—39.

So the bill passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

Mr. Jones from a select committee made the following report:

**MR. SPEAKER:**

The committee to whom was referred bill No. 412, have had the same under consideration and have directed me to report the same back and recommend its passage.

On motion,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and,

Mr. Donaldson from the committee on Corporations made the fol-lowing report:

**MR. SPEAKER:**

The committee on Corporations, to whom was referred bill No. 432, "an act to amend an act entitled an act to incorporate the Buf-falo and Mississippi Railroad Company, approved February 6, 1835, and the several acts amendatory thereof," have had the same under consideration and have instructed me to report the same back to the House without amendment and respectfully to recommend its passage.

Which was concurred in and the bill ordered to be engrossed.

On motion,

The order of business was suspended.

On motion by Mr. Brown of Shelby,

*Resolved*, That the Judiciary committee, to whom was referred No. 257, "a bill relative to the Central Plank Road, be discharged from



further consideration of that subject, and that the chairman report the same back instantler, for the action of the House.

On motion by Mr. Willard,

The vote on the engrossment of Senate bill 172, was reconsidered.

On motion by Mr. Chapman,

The vote on the amendment of Mr. Chapman to the bill, was reconsidered.

On motion by Mr. Willard,

The amendment of Mr. Chapman,

Was laid on the table.

Mr. Hicks offered the following amendment :

Amend by adding—

So that the counties of Delaware and Grant shall be attached to the county of Blackford, for senatorial purposes.

The Senatorial District of Randolph and Jay shall elect a Senator in the year 1851.

Strike out the words "the county of Fulton shall be attached to the counties of Cass and Pulaski for senatorial purposes ;

Which were adopted.

On motion by Mr. Willard,

The vote on the rejection of Mr. Marvin's amendment, was reconsidered.

On motion by Mr. Willard,

The bill and amendment were laid on the table.

On motion,

The order of business was suspended.

Mr. Davis of Scott, offered the following resolution :

*Resolved*, That a committee of five be appointed on the part of the House, to act with a similar committee on the part of the Senate, to whom Senate bill No. 172 shall be referred.

Mr. McClelland moved to amend the resolution by adding "one from each Congressional District ;"

Which motion prevailed.

The question being on the adoption of the resolution as amended, Was decided in the affirmative.

A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives, that the Senate has concurred in the amendments of the House to engrossed bill of the Senate,

No. 122. An act to extend further time to the borrowers of the sinking fund, and other trust funds.

Mr. Shook, chairman of the committee on Enrolled Bills, made the following report:

**MR. SPEAKER:**

The committee on Enrolled Bills, have compared the following and find them correctly enrolled :

Nos. 15, 147, 168, 186, 193, 239, 252, 357, and 370.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Jackson from the committee on Engrossed Bills, made the following report:

**MR. SPEAKER:**

The committee on Engrossed Bills, have compared the following engrossed bills, and find the same to be correctly engrossed:

Nos. 110, 343, 377, 383, 386, 422, 423, 424, 360, 388, 427, 439, 438, 429, 425, 428, 426, 434, 433, 435, and 291.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Blue from the committee on enrolled bills, made the following Report:

**MR. SPEAKER:**

The committee on enrolled bills, have examined the following bills, and find them correctly enrolled: Nos. 229, 211, 237, 349, 181, 208, 235.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Chapman,

The House adjourned until Monday morning 9 o'clock.

MONDAY MORNING, February 10, 1851.

House met.

On motion by Mr. Ross,

The reading of the Journal was dispensed with.

On motion by Mr. Williamson,

The vote on the adoption of a resolution "appointing a Joint Select Committee to take into consideration Senate bill No. 172," a bill for the apportionment of Senators and Representatives in this State, was reconsidered.

On motion by Mr. Willard,

The resolution was laid upon the table.

On motion by Mr. Davis of Scott,

Senate bill No. 172 was taken from the table.

Mr. Willard offered the following amendment:

Insert from the enacting clause as follows:

The counties of Posey and Vanderburgh shall be the first district. The counties of Gibson, Pike and Dubois, shall be the second district. The counties of Knox and Sullivan, shall be the third district. The counties of Owen and Greene, shall be the fourth district. The counties of Daviess and Martin, shall be the fifth district. The counties of Brown and Monroe, shall be the sixth district. The counties of Orange and Crawford, shall be the seventh district. The counties of Warrick, Spencer and Perry, shall be the eighth district. The county of Harrison, shall be the ninth district. The county of Floyd shall be the tenth district. The county of Clark shall be the eleventh district. The county of Washington shall be the twelfth district. The counties of Jackson and Scott shall be the thirteenth district. The county of Johnson shall be the fourteenth district. The counties of Bartholomew and Jennings shall be the fifteenth district. The counties of Switzerland and Ohio shall be the seventeenth district. The county of Ripley shall be the eighteenth district. The county of Dearborn shall be the nineteenth district. The county of Franklin shall be the twentieth district. The county of Decatur shall be the twenty-first district. The county of Shelby shall be the twenty-second district. The county of Rush shall be the twenty-third district. The counties of Fayette and Union shall be the twenty-fourth district. The county of Wayne shall be the twenty-fifth district. The counties of Hancock and Madison shall be the twenty-seventh district. The counties of Delaware and Grant shall be the twenty-eighth district. The counties of Randolph, Jay and Blackford, shall be the twenty-ninth district. The counties of Wells and Huntington shall be the thirtieth district. The counties of Adams and Allen shall be the thirty-first district. The counties of Whitley, Kosciusko and Noble, shall be the thirty-second district. The counties of DeKalb and Steuben

shall be the thirty-third district. The counties of LaGrange and Elkhart shall be the thirty-fourth district. The counties of St. Joseph, Marshall and Starke, shall be the thirty-fifth district. The counties of La Porte, Porter and Lake, shall be the thirty-sixth district. The counties of Jasper, White, Benton and Warren, shall be the thirty-seventh district. The counties of Pulaski, Fulton, Cass, and Howard, shall be the thirty-eighth district. The counties of Miami and Wabash shall be the thirty-ninth district. The counties of Carroll and Clinton shall be the fortieth district. The counties of Boone, Hamilton and Tipton shall be the forty-first district. The county of Marion shall be the forty-second district. The counties of Hendricks and Morgan shall be the forty-third district. The county of Lawrence shall be the forty-fourth district. The counties of Putnam and Clay shall be the forty-fifth district. The county of Vigo shall be the forty-sixth district. The counties of Parke and Vermillion shall be the forty-seventh district. The county of Montgomery shall be the forty-eighth district. The county of Fountain shall be the forty-ninth district. The county of Tippecanoe shall be the fiftieth district.

Sec. 2. Hereafter, and until the next apportionment, the Representatives shall be elected in the several counties as follows, to wit:

To the counties of Franklin, Dearborn, Marion, Putnam, Jefferson, and Wayne, two Representatives each; and in the said county of Wayne one additional Representative in the years 1853 and 1855.

In the counties of La Porte, Warren, St. Joseph, Elkhart, La Grange, Kosciusko, Vigo, Sullivan, Knox, Clay, Bartholomew, Jennings, Jackson, Scott, Clark, Floyd, Washington, Owen, Greene, Warrick, Spencer, Perry, Harrison, Posey, Vanderburgh, Fayette, Union, Carroll, Clinton, Grant, Delaware, Shelby, Johnson, Montgomery, Fountain, Vermillion, Parke, Fulton, Howard, Miami, Wabash, Allen, Adams, Tippecanoe, Boone, Hamilton, Tipton, Hancock, Madison, Blackford, Jay, Randolph, Henry, Rush, Morgan, Hendricks, Monroe, Brown, Lawrence, Decatur, Ripley, Orange, Crawford, Gibson, Pike, and Dubois, each one Representative.

In the counties of Knox and Sullivan, jointly, one additional Representative.

In the county of Tippecanoe one additional Representative in the year 1852.

In the counties of Posey and Vanderburgh, jointly, one additional Representative in the years 1851, 1852, and 1854.

In the county of Montgomery one additional Representative in the year 1852.

In the county of Boone one additional Representative in the year 1852.

In the county of Floyd, one additional Representative in the year 1851.

In the county of Miami, one additional Representative in the year 1852.

In the county of Washington, one additional Representative in the year 1852.

In the county of Wabash, one additional Representative in the year 1852.

In the county of Clark, one additional Representative in the year 1854.

In the county of Owen, one additional Representative in the years 1851 and 1854.

In the county of Delaware, one additional Representative in the years 1853 and 1855.

In the county of Madison, one additional Representative in the years 1853 and 1855.

In the county of Jennings, one additional Representative in the years 1853 and 1855.

In the county of Greene, one additional Representative in the years 1851 and 1854.

In the county of Parke, one additional Representative in the years 1853 and 1855.

In the county of Hendricks, one additional Representative in the years 1853 and 1855;

In the county of Elkhart, one additional Representative in the years 1851, 1852, and 1854;

In the county of Morgan, one additional Representative in the years 1853 and 1855;

In the county of Henry, one additional Representative in the year 1853;

In the county of Laporte, one additional Representative in the years 1851 and 1852;

In the county of Rush, one additional Representative in the year 1855;

In the county of Hamilton, one additional Representative in the year 1853;

In the county of Randolph, one additional Representative in the years 1853 and 1855;

In the county of Hancock, one additional Representative in the year 1855;

In the county of St. Joseph, one additional Representative in the years 1853 and 1855;

In the county of Allen, one additional Representative in the years 1851 and 1854;

In the county of Bartholomew, one additional Representative in the years 1851 and 1854;

In the county of Clay, one additional Representative in the year 1854;

In the county of Clinton, one additional Representative in the year 1854;

In the counties of Lake and Porter, one Representative each in the years 1851, 1852, and 1854; and in the said counties of Lake and Porter, jointly, one in the years 1853 and 1855;

In the counties of Jasper, White, and Benton, jointly, one Representative;

In the counties of Marshall and Starke, jointly, one Representative;

In the counties of Steuben and DeKalb, jointly, one Representative;

In the counties of Noble and Whitley, jointly, one Representative;

In the counties of Switzerland and Ohio, jointly, one Representative;

In the counties of Cass and Pulaski, jointly, two Representatives;

In the counties of Daviess and Martin, jointly, one Representative;

In the counties of Steuben and DeKalb, jointly, one additional Representative in the year 1851, 1852, and 1854;

In the counties of Switzerland and Ohio, jointly, one additional Representative in the years 1851 and 1852;

In the counties of Noble and Whitley, jointly, one additional Representative in the years 1851 and 1854;

In the counties of Daviess and Martin, jointly, one additional Representative in the years 1853 and 1855.

SEC. 3. This act shall be in force from and after its passage.

Mr. Fleece moved to lay the bill and amendments on the table.

Mr. Johnston called a division of the question.

The question being on laying the amendment on the table,

Was decided in the affirmative.

The question then being on laying the bill on the table,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Carr, Chapman, Conner, Cox, Davis of Scott, Donaldson, Elkins, Essex, Franklin, Gentry, Hall, Hamilton, Harris, Harrison, Humphreys, Hutchinson, Lewis, Marvin, McClelland, McKim, McMakin, Mercer, Millikan, Moore, Morrow, Nelson, Painter, Pancake, Patterson of Marshall, Phillips, Reynolds, Robbins, Ross, Shook, Simler, Stayner, Stone, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Thorn, Watt, Willard, Williamson, Withers, and Mr. Speaker—52.

*Those who voted in the negative were,*

Messrs. Armstrong, Bulla, Campbell, Clark, Coburn, Cowan, Crawford, Crim, Davis of Dubois, Edwards, Fleece, Goodman,

Goodwin, Graff, Hammond, Haywood, Hicks, Hosbrook, Houghman, Hubbard, Isom, Jackson, Johnston, Jones, Jordan, Lank, Lawrence, Lindsey, Marquess, Marshall, McCarty, Morgan, Patterson of Tippecanoe, Peckenpaugh, Rice, Riley, Shull Watson, Watts, and Wittenmeyer—40.

So the bill was laid on the table.

On motion,

The order of business was suspended,

On motion by Mr. Shook,

*Resolved*, That a committee of five be appointed, to whom shall be referred the accounts of the members and officers of this House, which, after being examined and approved, shall be signed by the chairman and reported to the Speaker for his acceptance, who shall approve the same.

The Speaker thereupon appointed Messrs. Bird, Clark, Crawford, Simler, and Armstrong said committee.

A Message from the Senate by Mr. Emerson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution:

*Resolved*, That the House of Representatives be respectfully requested to return to the Senate, bill of the Senate,

No. 166. An act to incorporate the Indiana Monumental Association.

On motion by Mr. Davis of Scott,

The committee to whom Senate bill 166 was referred, were authorized to return the same to the House.

On motion,

The order of business was suspended, and

Mr. Davis of Dubois offered the following resolution:

*Resolved*, That no member be allowed to speak more than five minutes on any subject hereafter, during the session of the present Legislature, and only once on the same subject, unless permission be given by the House.

Which, by the rule, lays over until to-morrow.

PETITIONS, MEMORIALS, REMONSTRANCES, &C.

By Mr. Elkins;

The petition of 86 citizens of Wells county, praying for an amendment to the Bluffton and Fort Wayne turnpike companies;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Elkins, Bird and Blue.

By Mr. Pancake;

The petition of the citizens of LaGrange and Noble counties on the subject of consolidating said counties;

Which,

On motion,

Was referred to the committee on the Judiciary.

By Mr. Jones;

The petition of the citizens of LaGrange county, on the subject of altering the boundaries of said county;

Which,

On motion,

Was referred to the committee on the Judiciary.

By Mr. Pancake;

The remonstrance of the citizens of Noble county, in regard to altering its territory, and consolidating the counties of LaGrange and Noble;

Which,

On motion,

Was referred to the committee on the Judiciary.

REPORTS FROM COMMITTEES.

Mr. Chapman, chairman of the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred bill of the Senate No 256, entitled "an act in relation to bills of exception," have had the same under consideration, and have directed me to report the same back without amendment and recommend the passage thereof.

On motion,

The rule was suspended and the bill read a third time and passed. Ordered that the Clerk inform the Senate thereof.



Mr. Watt, chairman of the committee on Roads, made the following report :

**MR. SPEAKER :**

The committee on Roads, to whom was referred the petition of Richard Feester and others, asking for a state road in the counties of Clinton and Tipton, and also the remonstrance of citizens of Clinton and Tipton counties against said road, have had the same under consideration, and directed me to report, that in the opinion of the committee, it is inexpedient to grant the prayer of said petitioners, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Watt, chairman of the committee on Roads, made the following report :

**MR. SPEAKER :**

The committee on Roads, to whom was referred the petition of James M. Sanford and others, of Sullivan county, asking for the vacation of a certain state road therein named, have had the same under consideration, and having no evidence before them that said petitioners have complied with the third section of "an act requiring notice to be given of such intended application," &c., approved Jan. 16, 1849, have directed me to report as follows, viz : that said petition be laid on the table, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Watt, chairman of the committee on Roads, made the following report :

**MR. SPEAKER :**

The committee on Roads, to whom was referred the petition of sundry citizens of Putnam county, praying for an amendment to the charter of the Indianapolis and Springfield Plank Road Company, have had the same under consideration, and directed me to report that in the opinion of said committee it is inexpedient to legislate thereon, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

Mr. Watt, chairman of the committee on Roads, made the following report :

MR. SPEAKER :

The committee on Roads, to whom was referred the petition of Charles Shoemaker and others, asking for a change in the state road leading from the Tippecanoe bridge, in Fulton county, to Singleton, in Marshall county; and also the remonstrance of citizens of Fulton and Marshall counties against said change, have had the same under consideration, and directed me to report that in the opinion of the committee it is inexpedient to grant the prayer of said petitioners; and ask to be discharged from the further consideration of the subject.

Which was concurred in.

On motion,

The order of business was suspended.

Mr. Bird presented the petition of E. McMakin, of Allen county, Which,

On motion,

Was referred to the committee on Ways and Means.

On motion,

The order of business was suspended.

By Mr. Bird :

The petition of certain citizens of Allen county.

Which,

On motion,

Was referred to the committee on Agriculture.

Mr. Bradley, from the committee on Corporations, made the following report :

MR. SPEAKER :

The committee on Corporations, to whom was referred Senate bill No. 29, "an act to amend an act entitled an act to incorporate the Ohio and Mississippi Railroad Company, passed Feb. 14, 1848," have had the same under consideration, and have instructed me to report the same back to the House with the accompanying amendments, and upon the adoption of the same to recommend its passage :

Amend the first section by striking out the words "or promissory notes" where they occur in the 13th line; also strike out the word "notes" in the twentieth line; also strike out the word "notes" in the twenty-fifth line; also strike out the word "note" in the thirty-first line.

After the first section insert the following, to-wit:

SECTION 2. Nothing in this act shall extend or enlarge the powers heretofore granted to said company in relation to determining

the rate of interest or discount in making sale of county bonds, nor shall any bonds be issued on any county subscription until the said road shall be permanently located and put under contract for construction in such county, and the proceeds thereof shall be solely applied agreeably to the terms of said subscription.

Change the number of the second section to that of third, and add the following to the end of said section :

“And the acceptance of this act by said company by order of the board of directors entered upon the minute book of said company.”

Which were concurred in.

On motion by Mr. Phillips,

The bill was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Hutchinson,

The joint select committee on the affairs of the Hospital for the Insane, were excused from attendance at the Hall of the House for the remainder of the forenoon.

On motion,

The order of business was suspended, and

Mr. Shull presented the petition of citizens of Jay county, on the subject of a road tax, &c.

Which,

On motion,

Was referred to the committee on Roads.

On motion,

The order of business was suspended, and

Mr. Chapman, from the committee on the Judiciary, made the following report:

**MR. SPEAKER :**

The committee on the Judiciary, to whom was referred bill of the Senate No. 182, have had the same under consideration, and have directed me to report the same back with the following amendments, and upon their adoption to recommend the passage of the bill:

Amend by adding the following at the end of the 9th section :

*Provided, however,* That said court shall not be organized, nor shall any part of its powers, duties, or jurisdiction commence, or the rights, duties, powers, privileges, or jurisdiction of any other court, or justice of the peace be in any manner changed, altered, or affected unless this act shall be assented to by the qualified voters of said county of Jefferson at the regular annual township election on the first Monday in April next. And for the purpose of enabling said qualified voters to assent to or reject said court, it shall be lawful for each and every such voter at said election to place upon his ticket the words “for the court” or “against the court.” And it shall be the duty of the inspector, or one of the judges of said election, to call off the votes given for and against said court, and of the clerks

of said election to keep a tally thereof, which tally paper shall be signed by said inspector and judges, and certified by said clerks, and returned by said inspector, or one of said clerks, to the auditor of said county on or before the Saturday next succeeding such election. And it shall be the duty of said auditor, on the following Monday, to compare said returns and make out a certified statement of the aggregate number of votes given for the court and against the court, which shall be entered on the records of the board of commissioners, and a copy published in one or more of the newspapers published in said county.

SEC. —. If a majority of said voters shall have voted in favor of said court, then, and in that case, said court shall be organized, and all the provisions of this act shall go into full effect. But if a majority of said voters shall have voted against said court, then, and in that case, said court shall not be organized, and this act and all its provisions shall cease, expire, determine, and become absolutely void.

SEC. —. It is hereby made the duty of the secretary of state to forward a certified copy of this act to the auditor of Jefferson county, whose duty it shall be to cause the same to be published, without unnecessary delay, in the Madison Weekly Courier and Madison Weekly Banner, at the expense of said county.

Which was concurred in.

On motion by Mr. Watts,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

Mr. Ross, from the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred House bill No. 448, entitled an act to incorporate the White Water Valley Railroad Company, have had the same under consideration, and directed me to report the same back and recommend its passage.

The bill was ordered to be engrossed.

Mr. Bradley, chairman of the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred the petition of sundry citizens of Carroll county, on the subject of a plank

road, have had the same under consideration, and have instructed me to report the accompanying bill and respectfully to recommend its passage.

No. 449. A bill to incorporate the Camden and Lock Port Plank Road Company.

Was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Watts, from a select committee, made the following report:

MR. SPEAKER:

The select committee to which was referred Senate bill No. 61, entitled "an act for the relief and benefit of the College Corner and Liberty Turnpike Company, the Liberty and Abington Turnpike Company, and the Liberty and Brownsville Turnpike Company," have had the same under consideration, and instructed me to report said bill back to the House and recommend its indefinite postponement.

Which was concurred in.

Mr. Rice, from a select committee, made the following report:

MR. SPEAKER:

The select committee, to whom was referred the petition of sundry citizens of Orange county, praying the relocation of the State road between Paoli, in Orange county, and Troy, in Perry county, have had the same under consideration, and directed me to report the following bill and respectfully recommend its passage:

No. 450. A bill to relocate the State road between Paoli, in the county of Orange, and Troy, in the county of Perry.

Was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

#### RESOLUTIONS.

Mr. Elkins offered the following resolution:

*Resolved*, That after this day no member shall be permitted to speak more than once on the same subject, and shall only be permitted to speak five minutes at any one time.

Which, under the rules, was laid over for one day.

Mr. Johnston offered the following resolution :

*Resolved*, That the committee appointed to investigate claims and mileage of the members of this House be instructed to compute the mileage on the nearest land route.

Mr. Patterson of Tippecanoe moved to amend by striking out "land route" and inserting "stage route."

When,

On motion by Mr. Watts,

The resolution was laid upon the table.

On motion,

The order of business was suspended,

Mr. Shull presented the petition of the citizens of Jay county praying the repeal of an act giving justices of the peace exclusive jurisdiction in said county ;

Which,

On motion,

Was referred to the committee on the Judiciary.

On motion,

The order of business was suspended, and

Mr. Harrison presented five petitions on the subject of a railroad therein named ;

Which,

On motion,

Were referred to the committee on Corporations.

Mr. Lank offered the following resolution :

*Resolved*, That the Treasurer and Auditor of State are hereby instructed to publish the mileage of members of the General Assembly as charged for the last five years ; and the Senate requested to concur therein.

Which was not adopted.

Mr. Ross offered the following resolution :

*Resolved*, That members be allowed mileage according to the most usual route of travel according to law.

Which,

On motion,

Was laid on the table.

#### BILLS &C., INTRODUCED.

By Mr. Donaldson,

No. 451. A bill to authorize the county Surveyor of Miami county, to re-survey the town of Mexico, in said county ;

By Mr. Coburn,  
No. 452. A bill to incorporate the Philatthean Society of Hano-  
ver College;

By Mr. Coburn,  
No. 453. A bill defining the powers of Justices of the Peace in  
Marion county;

Which was read three several times, the rule being suspended  
therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

By Mr. Jackson,

No. 454. A bill defining the boundaries of Tipton county;

Which was read a first and second times, the rule being suspended  
therefor, and referred to a select committee consisting of Messrs.  
Jackson, Conner, and Nelson.

By Mr. Patterson of Tippecanoe,

No. 455. A bill to regulate the sale of spirituous liquors in  
the county of Tippecanoe;

Which was read three several times, the rule being suspended  
therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

#### ORDERS OF THE DAY.

A message from the Senate, by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Represen-  
tatives that the Senate have passed the following engrossed bills of  
the House with sundry amendments:

No. 238. An act to restrict the powers of the Grand Jury  
of Shelby, Rush, Knox, Daviess, and Martin counties, and to limit  
the time of their session;

No. 293. An act to incorporate the Albion and Lisbon Turnpike  
Company;

No. 418. An act to legalize the tax sales made by the Mayor of  
the city of Fort Wayne, Allen county, Indiana;

In which amendments the concurrence of the House is respectfully  
requested.

The amendments of the Senate to bills Nos. 238, 293, and 418, in  
the foregoing message,

Were concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bill thereof:

No. 220. An act to authorize the extension of the Knightstown and Shelbyville Railroad;

No. 235. An act to amend an act entitled "an act to amend an act entitled an act to incorporate the Richmond and Miami Railroad Company, approved January 19, 1846, approved the 24th of January, 1851;

No. 264. An act for the relief of Daniel Stowell, of St. Joseph county;

No. 279. An act for the benefit of the agent of State;

No. 280. An act authorizing the Board of Commissioners of Martin county to order a vote to be taken in a certain case relating to the seat of Justice of said county;

No. 281. An act to relocate the seat of Justice for Fountain county;

In which the concurrence of the House is respectfully requested.

A message from the Senate by Mr. Emerson, their Secretary.

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof:

No. 278. An act to incorporate the Clinton Drawbridge Company;

In which the concurrence of the House is respectfully requested.

No. 297, contained in the foregoing message,

Was read a first time and passed to a second reading.

No. 220, was read a first and second times, the rule being suspended therefor, and referred to the committee on Corporations.

No. 235, was read a first and second times, the rule being suspended therefor, and was laid upon the table.

No. 281 was read a first and second times, the rule being suspended therefor,

Mr. Marquess offered the following amendment:

Amend by adding at the end of the 6th section—

*Provided*, That nothing herein shall be so construed as to prevent an appeal being taken by an aggrieved party;

Which was adopted and the bill was ordered to a third reading.

No. 264, 250, and 278, were each read a first time and passed to a second reading.

#### HOUSE BILLS ON THIRD READING.

No. 382. A bill to extend a certain road therein named;



No. 417. A bill for the compensation of county Treasurers for expense and trouble, in the pre-payment of revenue;

No. 421. A bill for the relief of Peter Helphinstine, a purchaser of school lands:

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

#### SENATE BILLS ON THIRD READING.

No. 50. A bill to incorporate the Liberty and Miami Railroad Company;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 149. A bill for the encouragement of agriculture;

Was read a third time.

Mr. Davis of Scott, moved to recommit the bill to the committee on the Judiciary, with the following instructions:

Strike out the 8th section.

Mr. Chapman moved to amend the instructions as follows:

"Add the name of Mr. Brown of Shelby, to the board of directors;"

Which motion prevailed.

The question being on recommitting the bill,

Was decided in the negative.

On motion by Mr. Johnston,

The name of Mr. Brown of Shelby, was added to the State board, by unanimous consent of the House.

On motion by Mr. Edwards,

The name of George Hussey of Vigo county, was added to the board of directors, by unanimous consent.

The question being on the passage of the bill,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Brown of Pike, Brown of Shelby, Bulla, Coburn, Cowan, Crim, Edwards, Elkins, Fleece, Goodman, Harrison, Hosbrook, Hubbard, Johnston, Jordan, Lank, Lawrence, Marshall, McCarty, McClelland, Mercer, Millikan, Moore, Morgan, Morrow, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Phillips, Robbins, Ross, Stone, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Thorn, Withers, Wittenmeyer, and Mr. Speaker—40.

*Those who voted in the negative were,*

Messrs. Benson, Blue, Campbell, Carr, Chapman, Cox, Davis of Dubois, Davis of Scott, Essex, Gentry, Hall, Hamilton, Harris, Hay-

wood, Hicks, Houghman, Humphreys, Isom, Jackson, Lindsey, Marvin, McKim, McMakin, Nelson, Painter, Peckenpaugh, Rice, Shook, Shull, Stayner, Walls, Watson, Watt, Watts, and Williamson—35.

So the bill passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

On motion by Mr. Ross,

*Resolved*, That the State Printer be required to furnish this House with the amount of outstanding documents that have not been furnished, as ordered by this House, and the same be sent in within two days from this time.

#### SENATE BILLS ON THIRD READING.

No. 161. A bill to provide for the incorporation of Subordinate Lodges of the "Independent Order of Odd Fellows;"

Was read a third time.

Mr. Edwards offered the following amendments:

After the word instituted, in the first section, add the following words:

"Regularly under a charter granted by the Grand Lodge of said Order, in said State."

Add the words "of the," before the word "Independent," where said word occurs the second time in the first section.

Which was adopted by unanimous consent.

The bill passed.

Ordered that the Clerk inform the Senate thereof.

No. 215. A bill to incorporate the Danville and Claysville Plank Road Company;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 257. A bill fixing the per diem pay of the members of the Legislature;

Was read a third time.

The question being on the passage of the bill,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were.*

Messrs. Bradley, Brown of Shelby, Campbell, Chapman, Coburn, Cowan, Cox, Crim, Davis of Scott, Hall, Harris, Harrison, Hicks, Hosbrook, Hubbard, Hutchinson, Jones, Jordan, McClelland, Mercer, Millikan, Moore, Morgan, Morrow, Pancake, Patterson of Marshall, Phillips, Riley, Ross, Stone, Swihart of Huntington, Thompson of Carroll, Thorn, Watts, Withers, and Wettenmeyer—35.

*Those who voted in the negative were,*

Messrs. Benson, Blue, Bulla, Carr, Conner, Donaldson, Edwards, Elkins, Essex, Fleece, Gentry, Goodman, Goodwin, Hamilton, Haywood, Houghman, Humphreys, Isom, Jackson, Johnston, Lank, Lawrence, Lindsey, Marquess, Marvin, McCarty, McKim, McMakin, Nelson, Patterson of Tippecanoe, Peckenpaugh, Reynolds, Rice, Robbins, Shook, Shull, Stayner, Swihart of Wabash, Thompson of Delaware, Usher, Walls, Watson, Watt, Williamson, and Mr. Speaker—45.

So the bill did not passed.

On motion,

The order of business was suspended, and House bill No. 257, was taken from the table and placed on the files of the House.

#### HOUSE BILLS ON SECOND READING.

No. 391. A bill to extend the provisions of article 1, chapter 42, Revised Statutes of 1843;

Was read a second time.

On motion by Mr. Davis of Scott,

The bill was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 409. A bill to confer additional powers upon the Superintendents of county asylums;

Was read a second time and ordered to be engrossed.

No. 407. A bill to authorize the Governor of the State to pay the taxes on the Georgia lands, and other purposes;

Was read a second time.

Mr. Usher moved to refer the bill to the committee on the Judiciary.

Mr. Usher moved that the House adjourn.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Blue, Bulla, Coburn, Conner, Donaldson, Elkins, Fleece, Goodman, Harris, Hosbrook, Houghman, Hubbard, Isom, Jackson, Jordan, Lank, Lawrence, Marshall, Marvin, McCarty, McClelland, McKim, McMakin, Patterson of Tippecanoe, Peckenpaugh, Phillips, Rice, Riley, Robbins, Stayner, Stone, Swihart of Wabash, Thompson of Carroll, Usher, Walls, Watt, and Watts—37.

*Those who voted in the negative were,*

Messrs. Benson, Bradley, Campbell, Carr, Chapman, Cox, Davis of Dubois, Davis of Scott, Edwards, Essex, Gentry, Graff, Hall,

Hamilton, Harrison, Hicks, Humphreys, Johnston, Jones, Marquess, Mercer, Nelson, Painter, Patterson of Marshall, Reynolds, Ross, Shook, Shull, Thorn, Willard, Williamson, Withers, Wittenmeyer, and Mr. Speaker—34.

So the House adjourned.

2 o'clock, P. M.

The House met.

On motion,  
The order of business was suspended.

On motion by Mr. Davis of Scott,

*Resolved*, That this House will not grant leave of absence to any member, except in case of sickness, until the Speaker announces the House adjourned *sine die*.

On motion by Mr. Willard,  
A call of the House was ordered.

On motion by Mr. Carr,  
Leave of absence was granted Mr. Schwartz on account of sickness.

Mr. Marshall was granted leave of absence on account of sickness.

On motion,  
The joint select committee on the affairs of the Hospital of the Insane were granted leave of absence for the balance of the day.

Mr. Davis of Scott moved to suspend a further call of the House,  
Which motion did not prevail.

On motion by Mr. Stone,  
A further call of the House was dispensed with.

Mr. Usher withdrew his motion to commit bill No. 407.

Mr. Usher offered the following amendment:

Strike out all after the enacting clause and insert the following:

That the Governor, Auditor and Treasurer of State be and they are hereby authorized and empowered to settle and compromise with Martin R. Green, of and concerning his supposed purchase of the Georgia lands; and in case no compromise can be made with said Green which shall, in the opinion of the Governor, Auditor and Treasurer, be for the interest of the State, that then said officers of State shall and they are hereby authorized to institute a suit against

said Green to set aside the conveyance made to him of said land by the late Governor of this State for fraud.

SEC. 2. The Governor, Auditor and Treasurer of State, are hereby authorized in their discretion to appoint one or more agents to take charge of said lands, and may in their discretion pay the taxes upon said lands out of any money in the treasury not otherwise appropriated.

Mr. Chapman moved to amend by striking out the word "Governor," where it occurs, and insert, "Secretary of State."

Mr. Chapman moved to lay the amendment upon the table.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Blue, Bradley, Brown of Shelby, Campbell, Chapman, Clark, Davis of Scott, Donaldson, Elkins, Essex, Franklin, Gentry, Hamilton, Harris, Harrison, Hicks, Hosbrook, Houghman, Humphreys, Jackson, Lawrence, Marvin, McMakin, Mercer, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Rice, Ross, Shull, Sinler, Stayner, Thorn, Usher, Watson, Willard, Williamson, and Mr. Speaker—42.

*Those who voted in the negative were,*

Messrs. Brown of Pike, Bulla, Carr, Coburn, Conner, Cox, Crim, Davis of Dubois, Edwards, Fleece, Goodman, Hall, Hammond, Haywood, Hubbard, Isom, Johnston, Jones, Jordan, Lank, Lindsey, Marquess, McKim, Millikan, Moore, Peckenpaugh, Phillips, Reynolds, Riley, Robbins, Shook, Stone, Thompson of Carroll, Thompson of Delaware, Watt, Watts, Withers, and Wittenmeyer—38.

So the amendments were laid upon the table.

Mr. Davis of Scott offered the following amendment:

Strike out from the enacting clause and insert the following:

The sale of the Georgia lands to Martin R. Green are hereby confirmed, and the Governor is hereby instructed and directed to hand over to Martin R. Green all the title papers that the State of Indiana has for the said lands.

Mr. Jordan moved to lay the amendment upon the table.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Brown of Pike, Bulla, Carr, Coburn, Conner, Cox, Davis of Dubois, Edwards, Goodman, Hall, Haywood, Hubbard, Jackson, Johnston, Jones, Jordan, Lindsey, Marquess, Marvin, McKim, McMakin, Millikan, Moore, Morgan, Morrow, Peckenpaugh, Phillips, Reynolds, Riley, Robbins, Shook, Stone, Thompson of Carroll,

Thompson of Delaware, Usher, Watt, Watts, Williamson, and Wittenmeyer—39.

*Those who voted in the negative were,*

Messrs. Armstrong, Bird, Blue, Bradley, Brown of Shelby, Campbell, Chapman, Clark, Crim, Davis of Scott, Donaldson, Elkins, Essex, Fleece, Franklin, Gentry, Hamilton, Harris, Harrison, Hicks, Hosbrook, Houghman, Humphreys, Hutchinson, Isom, Lank, Lawrence, McClelland, Mercer, Nelson, Painter, Patterson of Marshall, Pratt, Rice, Ross, Shull, Simler, Stayner, Schwartz, Thorn, Watson, Willard, Withers, and Mr. Speaker—45.

So the amendment was not laid upon the table.

The question then being on the adoption of the amendment of Mr. Usher,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Bradley, Brown of Shelby, Campbell, Chapman, Clark, Crim, Davis of Scott, Donaldson, Elkins, Essex, Franklin, Gentry, Graff, Hamilton, Harrison, Hicks, Hosbrook, Houghman, Humphreys, Hutchinson, Lank, Lawrence, Lewis, McClelland, Nelson, Painter, Pancake, Patterson of Marshall, Pratt, Rice, Ross, Shull, Simler, Stayner, Schwartz, Thorn, Watson, Willard, Withers, Wittenmeyer, and Mr. Speaker—43.

*Those who voted in the negative were,*

Messrs. Brown of Pike, Bulla, Carr, Coburn, Conner, Cowan, Cox, Davis of Dubois, Edwards, Fleece, Goodman, Goodwin, Hall, Hammond, Harris, Haywood, Hubbard, Isom, Jackson, Johnston, Jones, Jordan, Lindsey, Marquess, Marvin, McCarty, McKim, McMakin, Millikan, Moore, Morgan, Morrow, Peckenpaugh, Phillips, Reynolds, Riley, Robbins, Shook, Stone, Thompson of Carroll, Thompson of Delaware, Usher, Watt, Watts, and Williamson—45.

So the amendment was not adopted.

Mr. Brown of Pike moved to reconsider the vote, whereby the amendment by Mr. Davis of Scott was laid on the table;

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Campbell, Chapman, Clark, Conner, Crim, Davis of Scott, Donaldson, Elkins, Essex, Fleece, Franklin, Gentry, Hamilton, Har-

rison, Hicks, Hosbrook, Humphreys, Isom, Jackson, Jones, Lank, Lawrence, Marvin, McClelland, Mercer, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Pratt, Rice, Ross, Shull, Simler, Stayner, Thorn, Watson, Willard, Withers and Wittenmeyer—48.

*Those who voted in the negative were,*

Messrs. Bulla, Carr, Caylor, Coburn, Davis of Dubois, Edwards, Goodman, Goodwin, Hammond, Harris, Haywood, Hubbard, Johnston, Jordan, Lindsey, Marquess, McCarty, McKim, McMakin, Millikan, Moore, Peckenpaugh, Phillips, Reynolds, Riley, Robbins, Shook, Thompson of Carroll, Usher, Walls, Watt, Watts, Williamson and Wittenmeyer—34.

So the vote was reconsidered.

Mr. Marvin offered the following amendment to the amendment: By striking out all after the word "the" to the word "Governor.;" Which motion did not prevail.

Mr. Williamson offered the following amendment to the amendment:

SEC. —. Full power and authority is hereby vested in the Secretary, Auditor and Treasurer of State, to compromise with the said Martin R. Green, and settle all matters of dispute between the State of Indiana and the said Green, in relation to the Georgia lands. And if in their opinion the said sale to said Green is proper and fair, then in that case, they are hereby authorized to convey the title papers of the said lands to the said Martin R. Green. And if in their opinion said sale was fraudulent, then in that case they are hereby authorized to institute a suit, or to set aside said sale.

Mr. Willard moved to lay the amendment to the amendment on the table;

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Campbell, Chapman, Clark, Cox, Crim, Davis of Scott, Donaldson, Elkins, Essex, Franklin, Gentry, Hamilton, Harrison, Hicks, Humphreys, Isom, Jones, Lank, Marquess, Marvin, McClelland, McMakin, Mercer, Nelson, Painter, Pancake, Patterson of Marshall, Pratt, Rice, Ross, Shull, Simler, Stayner, Thorn, Watson, Willard, Withers, and Mr. Speaker—45.

*Those who voted in the negative were,*

Messrs. Bulla, Carr, Caylor, Coburn, Edwards, Fleece, Goodman, Goodwin, Hammond, Harris, Haywood, Hosbrook, Hubbard, Jackson, Johnston, Jordan, Lawrence, Lindsey, McCarty, Millikan,

Moore, Morgan, Peckenpaugh, Phillips, Riley, Robbins, Shook, Thompson of Carroll, Thompson of Delaware, Usher, Walls, Watt, Watts, Williamson and Wittenmeyer—35.

So the amendment to the amendment was laid upon the table.

Mr. Coburn moved to amend the amendment as follows:

Strike out after the word "enacted," and insert, "that the Secretary, Treasurer and Auditor of State, of Indiana, are hereby authorized and directed to effect a compromise of all controversy between said State and Martin R. Green, arising out of the sale of the said land to said Green, and they are hereby invested with full power to execute and deliver all such deeds and instruments of writing, and do all acts which may be necessary to carry into effect the same. And in case the said Secretary, Auditor and Treasurer shall fail to effect such compromise with said Green within three months from the passage of this act, they are hereby authorized and directed to employ counsel, and cause suit to be brought in the proper court, against said Green for the possession and title of said land. Said suit to be brought so soon as can possibly be done, by the said Secretary, Treasurer and Auditor."

On motion by Mr. Brown of Pike,

The amendment to the amendment was laid upon the table.

The question being on the adoption of the amendment of Mr. Davis of Scott,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Campbell, Chapman, Clark, Crim, Davis of Scott, Donaldson, Elkins, Essex, Franklin, Gentry, Hamilton, Harris, Harrison, Hicks, Humphreys, Isom, Jones, Lank, Lawrence, Marquess, McClelland, McMakin, Mercer, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Pratt, Rice, Ross, Shull, Simler, Stayner, Thorn, Watson, Willard, Withers, and Mr. Speaker—47.

*Those who voted in the negative were,*

Messrs. Bulla, Carr, Caylor, Coburn, Cox, Edwards, Fleece, Goodman, Goodwin, Hammond, Haywood, Hubbard, Jackson, Johnston, Jordan, Lindsey, Marvin, McCarty, Millikan, Moore, Peckenpaugh, Phillips, Reynolds, Riley, Robbins, Shook, Stone, Thompson of Carroll, Usher, Walls, Watt, Watts and Williamson—33.

So the amendment was adopted.

The question being on the engrossment of the bill,

The ayes and noes being demanded by two members,



*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Campbell, Chapman, Clark, Crim, Davis of Scott, Donaldson, Elkins, Essex, Franklin, Gentry, Hamilton, Harris, Harrison, Hicks, Humphreys, Isom, Lank, Lawrence, Marquess, McClelland, McMakin, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Pratt, Rice, Ross, Shull, Simler, Stayner, Thorn, Watson, Willard, Withers and Mr. Speaker—41.

*Those who voted in the negative were,*

Messrs. Bulla, Carr, Caylor, Coburn, Conner, Cox, Edwards, Fleece, Goodman, Goodwin, Hammond, Haywood, Hosbrook, Houghman, Hubbard, Jackson, Johnston, Jones, Jordan, Lindsey, Marvin, Mercer, Millikan, Moore, Morrow, Peckenpough, Phillips, Reynolds, Riley, Robbins, Shook, Stone, Thompson of Carroll, Thompson of Delaware, Usher, Walls, Watt, Watts, and Williamson—39.

So the bill was ordered to be engrossed.

No. 415. An act to amend an act entitled an act supplementary to an act, to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville, approved January 19, 1846, and January 27, 1847,

Was read a second time;

On motion by Mr. Chapman,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 420. A bill regulating the expense of capturing fugitives from justice,

Was read a second and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Patterson of Marshall,

Senate bill No. 172 was taken from the table.

Mr. Willard moved to take up the pending amendments to Senate bill No. 172 from the table.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Campbell, Carr, Chapman, Clark, Cox, Davis of Dubois, Davis of Scott, Donaldson, Elkins, Essex, Franklin, Gentry, Hamilton, Harrison, Hicks, Hosbrook, Humphreys, Isom, Jackson, Jones, Marquess, Marvin, McClelland, McKim, Mercer, Moore, Morgan, Morrow, Nelson, Painter, Patterson of Marshall, Peckenpough,

Phillips, Rice, Ross, Shook, Shull, Simler, Thompson of Carroll, Thorn, Usher, Walls, Watson, Watt, Watts, Willard, Williamson, and Mr. Speaker—54.

*Those who voted in the negative were,*

Messrs. Armstrong, Bulla, Caylor, Conner, Cowan, Crim, Edwards, Fleece, Goodman, Goodwin, Harris, Haywood, Houghman, Hubbard, Johnston, Jordan, Lank, Lawrence, Lindsey, McCarty, McMakin, Pancake, Pratt, Reynolds, Riley, Robbins, Stayner, and Stone—25.

So the amendment was taken from the table.

Mr. Willard offered the following amendment to the amendment: Strike out the second section and insert the following:

Hereafter, and until the next apportionment, the representatives shall be elected in the several counties as follows, to-wit: in the counties of Franklin, Dearborn, Marion, Putnam, Jefferson, and Wayne, two representatives each; in the counties of Laporte, Warren, St. Joseph Elkhart, Lagrange, Kosciusko, Vigo, Sullivan, Knox, Clay, Bartholomew, Jennings, Jackson, Scott, Clark, Floyd, Washington, Owen, Greene, Warrick, Spencer, Perry, Harrison, Posey, Vanderburgh, Fayette, Union, Carroll, Clinton, Grant, Delaware, Shelby, Johnson, Montgomery, Fountain, Vermillion, Parke, Fulton, Howard, Miami, Wabash, Allen, Adams, Tippecanoe, Boone, Hamilton, Tipton, Hancock, Madison, Blackford, Jay, Randolph, Henry, Rush, Morgan, Hendricks, Monroe, Brown, Lawrence, Decatur, Ripley, Orange, Crawford, Gibson, Pike, and Dubois, each one representative; in the counties of Jasper, White, and Benton jointly, one representative; in the counties of Marshall and Starke jointly, one representative; in the counties of Steuben and DeKalb jointly, one representative; in the counties of Noble and Whitley jointly, one representative; in the counties of Switzerland and Ohio jointly, one representative; in the counties of Cass and Pulaski jointly, two representatives; in the counties of Daviess and Martin jointly, one representative; in the counties of Huntington and Wells jointly, one representative; in the county of Porter, one representative, in the years 1851, 1852, and 1854; in the county of Lake, one representative in the years 1851, 1852, and 1854; in the counties of Posey and Vanderburgh jointly, one additional representative in the years 1851 and 1854; in the counties of Knox and Sullivan jointly, one additional representative in the years 1851 and 1854; in the counties of Switzerland and Ohio jointly, one additional representative in the years 1851 and 1852; in the county of Floyd, one additional representative in the year 1851; in the county of Owen, one additional representative in the years 1851 and 1854; in the county of Greene, one additional representative in the years 1851 and 1854; in the county of Laporte, one additional representative in the years 1851

and 1852; in the county of Allen, one additional representative in the years 1851 and 1854; in the county of Bartholomew, one additional representative in the years 1851 and 1854; in the county of Marion, one additional representative in the years 1851 and 1852; in the counties of Steuben and DeKalb jointly, one additional representative in the year 1851; in the counties of Tippecanoe, Montgomery, Boone, Miami, Wabash, and Washington, each one additional representative in the year 1852; in the county of Wayne, one additional representative in the years 1852, 1853, and 1855; in the counties of Noble and Whitley, one additional representative in the year 1854; in the counties of Carroll and Clinton jointly, one additional representative in the year 1854; in the counties of Clark, Clay, and Elkhart, one additional representative each in the year 1854; in the counties of Lake and Porter jointly, one representative in the years 1853 and 1855; in the county of Madison, one additional representative in the year 1853 and 1855; in the county of Henry, one additional representative in the year 1855; in the county of Rush, one additional representative in the years 1852 and 1855; in the county of Hamilton, one additional representative in the years 1853 and 1855; in the counties of Delaware, Jennings, Parke, Hendricks, Randolph, and St. Joseph, each one additional representative in the years 1853 and 1855; in the counties of Davis and Martin jointly, one additional representative in the years 1853 and 1855; in the counties of Hancock and Putnam, each one additional representative in the year 1853.

Mr. Fleece moved to lay the amendment to the amendment on the table.

Which motion did not prevail.

The question being on the adoption of the amendment,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Campbell, Carr, Caylor, Chapman, Clark, Cox, Davis of Dubois, Davis of Scott, Donaldson, Elkins, Essex, Franklin, Gentry, Hamilton, Harrison, Haywood, Hicks, Houghman, Humphreys, Isom, Jackson, Johnston, Lindsey, Marquess, Marvin, McCarty, McClelland, McKim, Mercer, Millikan, Moore, Nelson, Painter, Patterson of Marshall, Peckenpugh, Rice, Riley, Ross, Shook, Shull, Simler, Thompson of Carroll, Thorn, Walls, Watson, Watt, Watts, Willard, Williamson, and Withers—54.

*Those who voted in the negative were,*

Messrs. Armstrong, Bulla, Conner, Cowan, Crim, Edwards, Fleece, Goodman, Goodwin, Harris, Hubbard, Jones, Jordan, Lank, Lawrence, McMakin, Morrow, Pancake, Phillips, Pratt, Reynolds, Robbins, Stayner, Stone, Usher, and Mr. Speaker—25.

So the amendment was adopted.

Mr. Bird offered the following amendment to the amendment:

"Amend by giving Noble and Whitley each one representative in the year 1854, and in that year they shall not elect jointly."

Which was adopted.

The amendment was then adopted.

Mr. Bulla moved to amend,

"That the county of Wayne be entitled to three representatives each year."

Mr. Humphreys called the previous question,

Which was seconded by the House.

The question being, shall the main question be now put?

Was decided in the affirmative.

The main question being, shall the bill be ordered to a third reading?

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Campbell, Carr, Caylor, Chapman, Clark, Cox, Davis of Dubois, Davis of Scott, Donaldson, Elkins, Essex, Franklin, Gentry, Hamilton, Harrison, Haywood, Hicks, Hosbrook, Houghman, Humphreys, Isom, Jackson, Lindsey, Marquess, Marvin, McClelland, McKim, Mercer, Millikan, Moore, Morgan, Morrow, Nelson, Painter, Patterson of Marshall, Peckenpaugh, Rice, Riley, Ross, Shook, Shull, Simler, Thompson of Carroll, Thompson of Delaware, Thorn, Walls, Watson, Watt, Watts, Willard, Williamson, Withers, and Wittenmeyer—58.

*Those who voted in the negative were,*

Messrs. Armstrong, Blue, Bulla, Coburn, Conner, Cowan, Crim, Edwards, Fleece, Goodwin, Harris, Hubbard, Johnston, Jones, Jordan, Lank, Lawrence, McCarty, McMakin, Pancake, Pratt, Reynolds, Robbins, Stayner, Stone, Usher, and Mr. Speaker—27.

So the bill was ordered to a third reading.

Mr. Willard moved to suspend the rule.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Benson, Bird, Bradley, Brown of Pike, Brown of Shelby, Campbell, Carr, Caylor, Chapman, Clark, Cox, Davis of Dubois, Davis of Scott, Donaldson, Elkins, Essex, Franklin, Gentry, Hamilton, Harrison, Haywood, Hicks, Hosbrook, Houghman, Humphreys, Isom, Jackson, Lindsey, Marquess, Marvin, McClelland, McKim,

Mercer, Moore, Morgan, Morrow, Nelson, Painter, Patterson of Marshall, Peckenpauqh, Rice, Riley, Ross, Shook, Shull, Simler, Thorn, Walls, Watson, Watt, Watts, Willard, Williamson, Withers, and Wittenmeyer—53.

*Those who voted in the negative were,*

Messrs. Armstrong, Bulla, Coburn, Conner, Cowan, Crim, Edwards, Fleece, Goodman, Goodwin, Harris, Hubbard, Johnston, Jones, Jordan, Lank, Lawrence, McCarty, McMakin, Millikan, Pancake, Phillips, Pratt, Reynolds, Robbins, Stayner, Stone, Thompson of Carroll, Usher, and Mr. Speaker—30.

So the rule was not suspended.

#### HOUSE BILLS ON THIRD READING.

On motion by Mr. Dumont,

The order of business was suspended, and the following message from the Senate taken up:

A Message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, with one amendment:

No. 314. An act to change the time of holding the Circuit Courts in the Thirteenth Judicial Circuit;

In which amendment the concurrence of the House is respectfully requested.

The amendment of the Senate to bill No. 314, contained in the foregoing message was concurred in.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended,

And the following message from the Senate considered.

A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House with sundry amendments:

No. 363. An act to extend the Terre Haute and Alton railroad.

In which amendment the concurrence of the House is respectfully requested.

The amendments of the Senate to bill No. 363, contained in the foregoing message were concurred in.

Ordered that the Clerk inform the Senate thereof.

Mr. Lank moved to take from the table bill

No. 398. A bill to more effectually prevent the sale of spirituous liquors.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Blue, Bradley, Bulla, Clark, Coburn, Conner, Crim, Donaldson, Edwards, Goodman, Hosbrook, Hubbard, Johnston, Jones, Jordan, Lank, Lawrence, Lindsey, McCarty, Mercer, Millikan, Moore, Morrow, Pancake, Phillips, Pratt, Reynolds, Riley, Robbins, Boss, Shook, Simler, Stone, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Watt, Watts, Withers, Wittenmeyer, and Mr. Speaker—44.

*Those who voted in the negative were,*

Messrs. Benson, Brown of Pike, Brown of Shelby, Campbell, Carr, Caylor, Chapman, Cox, Davis of Dubois, Essex, Fleece, Gentry, Goodwin, Hamilton, Harrison, Haywood, Hicks, Haughman, Isom, Jackson, Marvin, McKim, McMakin, Morgan, Nelson, Painter, Peckenbaugh, Rice, Shull, Stayner, Walls, Watson, and Williamson—34.

So the bill was taken from the table.

Mr. Caylor moved a call of the House,

Which motion did not prevail.

The question being on the indefinite postponement,

Which motion was made by Mr. Brown of Shelby,

Mr. Brown of Shelby moved a call of the House,

Which motion did not prevail.

Mr. Phillips moved that the House adjourn,

Which motion did not prevail.

Mr. Brown withdrew his motion to indefinitely postpone.

Mr. Dumont moved to recommit the bill to the select committee on Temperance, with the following instructions:

To inquire into the expediency and constitutionality of so amending said bill as to make it come into effect in any county of this State so soon as a majority of the people of any such county shall approve it, and also into the property of making other necessary amendments to said bill.

Which motion prevailed.

Mr. McMakin moved the following instructions:

To so amend the bill as to except Montgomery from its provisions.

Which motion prevailed.

Mr. Caylor moved the following instructions:  
Except the county of Hancock from the provisions of the bill.

Mr. Gentry moved the following instructions:  
Except the county of Monroe.

Mr. Brown of Shelby moved the following instructions:  
Amend the bill so as to except all the counties in the State.

Which motion prevailed.

On motion,

The order of business was suspended, and,

Mr. McMakin introduced,

No. 456. A bill to amend the act entitled an act to incorporate the town of Troy, in Perry county, approved January, 1850 ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

Mr. Harrison introduced,

No. 457. A bill to amend an act entitled "an act to restrict the Grand Juries of the counties of Porter and Lake, to a limited time in their sessions, and for other purposes, approved February 8, 1851 ;"

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Usher moved to reconsider the vote on Mr. Brown's (of Shelby) instructions on the recommitment of No. 398. The recommitment of it having been reconsidered.

On motion by Mr. Dumont,

Which motion prevailed.

Mr. Brown of Shelby, withdrew his instructions.

On motion by Mr. Usher,

The vote on the instructions of Mr. Caylor, was reconsidered.

Mr. Caylor thereupon withdrew his instructions.

On motion,

The vote on Mr. McMakin's instructions was reconsidered.

And thereupon, Mr. McMakin withdrew them.

On motion,

The vote on Mr. Gentry's instructions, was reconsidered.

Mr. Brown of Shelby moved to indefinitely postpone the bill.

Mr. Goodwin moved that the House adjourn.

Which motion did not prevail.

The question then being on the indefinite postponement of the bill ;

The ayes noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Blue, Brown of Pike, Brown of Shelby, Carr, Caylor, Chapman, Cowan, Cox, Davis of Dubois, Edwards,

Elkins, Essex, Fleece Gentry, Goodwin of Davis, Hamilton, Harris, Haywood, Hicks, Humphreys, Isom, Jackson, Marquess, Marvin, McKim, McMakin, Morgan, Nelson, Painter, Pecempaugh, Rice, Shull, Stayner, Walls, Watson, Watts, Willard, and Williamson—40.

*Those who voted in the negative were,*

Messrs. Benson, Bradley, Bulla, Campbell, Clark, Coburn, Davis of Scott, Donaldson, Goodman, Hosbrook, Houghman, Hubbard, Johnston, Jones, Jordan, Lank, Lawrence, Lindsey, McCarty, Mercer, Millikan, Moore, Morrow, Pancake, Pratt, Reynolds, Riley, Robbins, Ross, Shook, Simler, Stone, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Watt, Withers, Wittenmeyer, and Mr. Speaker—40.

So the bill was not indefinitely postponed.

Mr. Dumont moved to recommit the bill with the following instructions:

"That said bill be recommitted to the committee that reported it, with instructions to inquire into the expediency and constitutionality of so amending said bill, as to make it come into effect in any county of this State, so soon as a majority of the people of any such county shall approve it, and also, into the propriety of making other necessary amendments to said bill."

Which motion prevailed.

Mr. Elkins from the committee on Enrolled Bills, made the following report:

**MR. SPEAKER:**

The committee on Enrolled Bills, have examined the following and find them correctly enrolled:

Nos. 86, 153, 180, 245, 345, 359, and 387.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Shock, chairman of the committee on Enrolled Bills, made the following report:

**MR. SPEAKER:**

The committee on Enrolled Bills, have examined the following and find them correctly enrolled:

Nos. 124, 152, 216, 258, 259, 260, 269, 271.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.



Mr. Coburn, chairman of the committee on Engrossed Bills, made the following report :

**MR. SPEAKER:**

The committee on Engrossed Bills, have examined bills numbered 219, 231, 320, 327, 330, 333, 338, 347, 352, 354, 361, 363, 364, 366, 372, 384, 393, 394, 395, 396, 397, 399, 400, 401, 402, 403, 404, 405, 406, 408, 410, 411, 413, 418, and 419, and report that the same are correctly engrossed.

Mr. Shook, chairman of the committee on Enrolled Bills, made the following report:

**MR. SPEAKER:**

The committee on Enrolled Bills, have compared the following enrolled with the engrossed bills of the House and find them correctly enrolled, to-wit :

Nos. 255, 194, 62, 141, 308, 304.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Shook, from the committee on Enrolled Bills, made the following report:

**MR. SPEAKER:**

The committee on enrolled bills, have compared the following and find them correctly enrolled:

Nos. 12, 204, 215, 250, 275, 298, 313, 324, 340, 367, 379, and 313.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

A message from the Governor by Mr. Noel, the Executive messenger:

**MR. SPEAKER:**

I am directed by the Governor to inform the House of Representatives, that he has approved and signed the following bills:

No. 368. An act to amend an act entitled "an act creating the Marion Court of Common Pleas, approved January 4, 1849;"

No. 144. An act to amend an act entitled "an act to incorporate the Connersville and Brownsville Turnpike Company, approved January 16, 1849;"

No. 315. An act to change the name of the Madison and Napoleon Turnpike Company ;

No. 263. An act to authorize the Board of Commissioners of Howard county, to cause a record to be made of a certain State road therein named ;

No. 290. An act to locate a State road from Pleasant Grove, in Fulton county, by the way of the Fulton Steam Mill, to Perrysburg, in Miami county ;

No. 187. An act to enable the citizens of Orange township, Fayette county, to elect an additional Justice of the Peace, so as to reside in the South part of said township ;

No. 283. An act to prohibit the sale of intoxicating drinks in the town of Middleton, Henry county ;

No. 251. An act in relation to Supervisors of roads and highways in Jackson county ;

No. 230. An act to repeal an act therein named, relating to Elkhart county ;

No. 246. An act to authorize the Board of county Commissioners of Pike and Gibson counties, to employ by the year, a physician to attend on the paupers of said counties ;

No. 126. An act to amend an act entitled an act to incorporate the Terre Haute Draw Bridge Company, approved Jan. 13, 1845.

No. 60. An act relative to plank roads.

No. 319. An act to incorporate the Charlestown and Brownstown Plank Road Company.

No. 198. An act for the benefit of the Union Plank Road Company, and the Michigan City and South Bend Plank Road Company, in Laporte county.

No. 264. An act to amend an act entitled an act to amend the act entitled an act to incorporate the city of Fort Wayne, and all acts and parts of acts amendatory thereto.

No. 331. An act to vacate an alley in the town of Greencastle, in Putnam county.

No. 182. An act to amend an act entitled an act to incorporate the Peru and Indianapolis Railroad Company, approved January 19, 1846.

No. 209. An act providing for the sale of school section in township No. 28, north of range No. 4 west, lying in the county of White.

No. 300. An act to amend an act entitled an act requiring the supervisors of roads in Coal Creek township, in Montgomery county, to keep the same in repair, and for other purposes therein contained.

No. 272. An act relative to the jurisdiction of justices of the peace in certain criminal cases in the county of Carroll.

No. 286. An act to enable the auditor of Spencer county to convey a certain tract of land therein named to John Masterson.

No. 214. An act extending the provisions of an act therein named to Randolph county, in the eleventh judicial circuit.

No. 24. An act to amend the charter of the Evansville and Illinois Railroad Company.

No. 332. An act to prevent intemperance in Wayne township, in the county of Henry.

No. 317. An act in reference to the poor of Wayne township, Allen county, Indiana.

No. 299. An act to restrict the grand juries of the counties of Porter and Lake to a limited time in their sessions, and for other purposes.

No. 247. An act to enable the qualified voters of school district Nos. 5 and 8, in township 37, range 3 west, in Laporte county, to build a union school house, and for other purposes.

A message from the Senate by Mr. Emerson, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bills of the House, without amendment :

No. 261. An act to incorporate the Kankakee Bridge Company.

No. 278. An act for the relief of the Terre Haute and Richmond Railroad Company, and the Indiana Central Railway Company.

No. 296. An act to incorporate the Grapevine Marsh Plank Road Company.

No. 301. An act to authorize the construction of a mill-dam across the Tippecanoe river, in White county.

No. 320. An act authorizing the Treasurer and Auditor of State to re-settle with George H. Dunn, late Treasurer of State, and to correct any mistake that may be found in the former settlement of the said Dunn.

No. 330. An act to repeal an act to regulate the retailing of spirituous liquors in the county of Kosciusko.

No. 350. An act to amend an act entitled an act to incorporate the town of Peru, approved February 14, 1848.

No. 353. An act to incorporate the town of Valparaiso, in the county of Porter.

No. 369. An act extending the provisions of an act for the benefit of the Clark county Central Plank Road Company to the Madison, Hanover and Lexington Plank Road Company.

No. 381. An act to amend an act entitled an act to incorporate the Richmond and Boston Turnpike Company, approved Feb. 15, 1839.

No. 394. An act legalizing the sale of the school section in township eleven, north of range one east, in Morgan county.

No. 400. An act to repeal an act entitled an act regulating the salary of the auditor of Putnam county, approved Feb. 11, 1848.

Mr. Goodwin moved to suspend the order of business ;

Which motion did not prevail.

On motion by Mr. Marvin,

The House adjourned until to-morrow morning  $\frac{1}{2}$  past 8 o'clock.

## TUESDAY MORNING, February 11, 1851.

House met.

On motion by Mr. Clark,

The reading of the Journal was dispensed with.

On motion by Mr. Hicks,

The order of business was suspended, and,

Mr. Hicks, chairman of the committee on Benevolent and Scientific Institutions, made the following report :

**MR. SPEAKER :**

The committee on Benevolent and Scientific Institutions, to which was referred that part of the Governor's message relating to Benevolent Institutions, have had the same under consideration, and directed me to make the following report :

Your committee would remark that they have visited the Insane, Deaf and Dumb, and Blind Asylums, and made such investigation relating to each, and the management, regulations, and progress through, as time and opportunity would allow ; that the result is, the pleasing conviction that all are managed with ability, and realizing to the benevolent public who sustain them, all that was expected of them ; of the prudence and economy of the Commissioners and Trustees, the ability and faithfulness of the Superintendents, officers, and assistants, the fact that not a single fault, worthy any attention, has come to the knowledge of the committee, is satisfactory proof.

In regard to the changes in the laws governing these institutions, and the additional regulations suggested by his excellency, the committee entertain the opinion that the sums placed in the hands of the Superintendents by order of the Commissioners or Trustees at one time, will never be sufficient to tempt the cupidity of any man whose character and standing will secure to him that station.

That although it is believed to be right and proper to provide by law for a uniform mode of electing or appointing Trustees, and pro-

hibiting any Board of Trustees from filling vacancies in its own body, as a permanent arrangement, yet the present is not deemed the proper time for that change.

The propriety of prohibiting a Superintendent from holding the office of Trustee is questionable; there are potent considerations for and against the proposition.

It is not perceived that any greater degree of safety in the disbursement of the funds is to be attained by requiring the Treasurer to pay money only upon the warrant of the Auditor, in place of payment upon the authenticated order of the proper Board, since the same evidence on which the money is procured, would procure the warrant first, and then the money; and as money must, in most cases, necessarily be paid in small sums, it is doubted whether any better mode than that now practiced can be devised.

On the subject of insurance, the committee are not sufficiently advised to venture any recommendation.

Under the present laws, organizations and regulations of these institutions, large, commodious, neat, and substantial buildings have been commenced, two erected and nearly completed, at a cost, considering the superior character of the work, of which no well-founded complaints are known to have been made; and since better results could not be expected to follow a change, prudence would seem to dictate adherence to the present, rather than new and untried regulations.

The committee, nor the House, were in possession of the reports of the Commissioners, Trustees, and Superintendents of all these institutions until about a week since, and near the close of the session. This delay arose from the fact, that there is no authority of law for printing, except as ordered by resolution of the House. The result has been a corresponding delay in making this report, and a less searching and perfect examination of the subjects referred to than was desirable. To remedy this evil in future, the following bill is reported herewith, and its passage recommended, and the committee ask to be discharged from the further consideration of the subjects above referred to.

No. 458. A bill to authorize the printing of the reports of the benevolent institutions therein named.

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

Mr. Willard, chairman of the committee on Ways and Means, made the following report :

**MR. SPEAKER :**

The committee on Ways and Means have instructed me to report the accompanying bill and recommend its passage :

No. 459. An act to raise the revenue for 1851.

Which was read a first and second times, the rule being suspended therefor, and

On motion by Mr. Willard,

Made the special order of the House for Wednesday morning at 9 o'clock, in the committee of the whole.

On motion,

The order of business was suspended, and

Mr. Watt introduced

No. 460. A bill to revive an act entitled an act to incorporate the Milton and Waterloo Turnpike Company ;

Which was read three several times the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

Mr. Dumont introduced

No. 461. A joint resolution granting the use of the State Library to Captain Michael Fitzgibbon and John Dillon ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Shook,

The order of business was suspended.

On motion by Mr. Shook,

Bill No. 65. A bill to incorporate the Sparta and Versailles Turnpike Company ;

Was taken from the table and placed upon the files of the House.

On motion,

The House insisted on its amendment.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended,

Mr. Elkins, from a select committee, made the following report :

**MR. SPEAKER :**

The select committee to which was referred the petitions of sundry citizens of Wells county, in reference to amending the charter of the Fort Wayne and Bluffton Turnpike Company, have had the subject under consideration, and beg leave to introduce the accompanying bill :

No. 462. A bill to amend an act entitled an act to incorporate the Fort Wayne and Bluffton Turnpike Company ;

Was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Bradley, chairman of the committee on Corporations, made the following report:

**MR. SPEAKER:**

The committee on Corporations to whom was referred sundry petitions of citizens of Laporte, Porter and Lake counties in relation to a change of the route of the Buffalo and Mississippi Railroad, have had the same under consideration, and have instructed me to report that your committee deem it inexpedient to make any change in the route of said road at present, and they recommend that said petitions be laid on the table, and that your committee be discharged from the further consideration thereof.

Which was concurred in.

On motion,

The order of business was suspended,

Mr. Coburn introduced

No. 463. A Joint Resolution relative to the State Library.

Which was read a first time;

On motion,

The rule was suspended, and the bill read a second time.

Mr. Chapman moved to amend the bill by adding all the Recorders and Auditors in the State,

Which was adopted.

On motion by Mr. Willard,

The bill was laid upon the table.

On motion,

The order of business was suspended, and

Mr. Jackson, from a select committee, made the following report:

**MR. SPEAKER:**

The select committee to whom was referred a bill defining the boundaries of Tipton county, have had the same under consideration, and have directed me to report the bill back and recommend its passage.

Mr. Conner moved to indefinitely postpone the bill.

On motion,

The resolution of Mr. Davis of Dubois, offered on yesterday, was considered, to wit:

*Resolved*, That after this day no member shall be permitted to speak more than once on the same subject, and shall only be permitted to speak five minutes at any one time.

Mr. Chapman moved to lay the resolution on the table,  
Which motion did not prevail.

The question being on the adoption of the resolution,  
Was decided in the affirmative.

The question then being on the indefinite postponement of  
No. 454. A bill defining the boundaries of Tipton county,  
The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Bulla, Caylor, Coburn, Conner, Donaldson, Edwards, Essex, Fleece, Franklin, Gentry, Goodman, Goodwin, Graff, Hamilton, Hammond, Haywood, Hicks, Hubbard, Isom, Johnston, Jordan, Lank, Lawrence, Marshall, McCarty, Millikan, Moore, Morrow, Patterson of Tippecanoe, Peckenpaugh, Pratt, Rice, Robbins, Shook, Stone, Thompson of Carroll, Thompson of Delaware, Usher, Watt, Watts, and Williamson—43.

*Those who voted in the negative were,*

Messrs. Blue, Bradley, Brown of Pike, Brown of Shelby, Campbell, Carr, Chapman, Clark, Cowan, Cox, Crawford, Crim, Davis of Dubois, Davis of Scott, Harris, Harrison, Hosbrook, Houghman, Jackson, Lindsey, Marquess, Marvin, McClelland, McMakin, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Riley, Ross, Shull, Simler, Stayner, Thorn, Watson, Willard, Withers, Wittenmeyer, and Mr. Speaker—40.

So the bill was indefinitely postponed.

The Speaker laid before the House the following communication :

INDIANAPOLIS, Feb. 10, 1851.

*To the Honorable the House of Representatives  
of the State of Indiana :*

GENTLEMEN: The resolution of your honorable body requiring the State Printer "to furnish the amount of outstanding documents that have not been furnished, within two days from this time," has been received, and in answer permit us to assure the House that we are making every exertion to deliver said documents. All the documents ordered to this date have been printed, a portion delivered, and the remainder are in the hands of the binders, who are making extraordinary efforts to furnish the same within the time named.

Respectfully submitted.

ELLIS & SPANN,  
For J. P. CHAPMAN, State Printer.



On motion by Mr. Chapman,

The vote on the passage of bill No. 197, was reconsidered.

Mr. Chapman moved to amend section 1st, by inserting after the word "thirty" in the 5th line, the word "eight."

Which motion prevailed by unanimous consent of the House,

The bill passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended;

Mr. Bird from the committee on Ways and Means, made the following report:

**MR. SPEAKER:**

The committee of Ways and Means to whom was referred a petition from H. R. Colrick, praying for relief for land overflowed by the Northport feeder dam, ask leave to refer the same back to the House, and recommend it be referred to the committee on Claims, and your committee ask to be discharged from the further consideration of the subject.

Which was concurred in.

On motion,

The order of business was suspended.

Mr. Brown of Shelby, from the committee on Ways and Means, made following report:

**MR. SPEAKER:**

The committee of Ways and Means, to whom was referred House bill No. 207, an act regulating the licenses of traveling peddlers in the county of Dearborn, have had that subject under consideration and directed me to report the same back to the House and recommend its passage.

On motion,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

Mr. Brown, from the committee on Ways and Means, made the following report:

**MR. SPEAKER:**

The committee on Ways and Means, to whom was referred Senate bill No. 154, an act authorizing County Auditors to administer

oaths in certain cases therein named, have had that subject under consideration, and directed me to report the same back to the House and recommend its passage.

The bill was ordered to be engrossed.

On motion,

The order of business was suspended.

Mr. Bird made the following report from the committee on Ways and Means :

**MR. SPEAKER :**

The committee of Ways and Means, to whom was referred bill No. 107, an act authorizing licensed merchants to vend clocks, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

The bill was ordered to be engrossed.

On motion,

The order of business was suspended.

Mr. Usher, from the committee on Ways and Means, made the following report:

**MR. SPEAKER :**

The committee on Ways and Means have directed me to report the following bill making general appropriations for the year 1851: No. 464. A bill making general appropriations for the year 1851.

Was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

Mr. Usher, from the committee on Ways and Means, made the following report:

**MR. SPEAKER :**

The committee on Ways and Means have had under consideration House bill No. 227, and directed me to report the same back and recommend that it be indefinitely postponed.

Which was concurred in.

On motion,

The order of business was suspended.

Mr. Bird, from the committee on Ways and Means, made the following report:

**MR. SPEAKER:**

The committee on Ways and Means, to whom was referred bill No. 223, recommending the reduction of the legislative expenses, have had the same under consideration, and recommended me to report the same back to the House and ask it be indefinitely postponed; and your committee beg leave to be discharged from the further consideration of the subject.

Which was concurred in.

On motion,

The order of business was suspended.

Mr. Usher, from the committee on Ways and Means, made the following report:

**MR. SPEAKER:**

The committee of Ways and Means, to whom was referred House bill No. 322, have had the same under consideration, and directed me to report the same back and recommend that it be indefinitely postponed.

No. 322. A bill for the benefit of the defenders of their country, exempting \$200 worth of property from taxation.

The question being on concurring in the report of the committee, The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Blue, Brown of Pike, Bulla, Campbell, Carr, Caylor, Coburn, Conner, Cowan, Crawford, Crim, Edwards, Elkins, Fleece, Goodman, Goodwin, Graff, Hamilton, Haywood, Hicks, Hosbrook, Houghman, Hubbard, Isom, Jackson, Jordan, Lank, Lawrence, Lindsey, Marshall, Marvin, McClelland, McKim, Millikan, Morrow, Nelson, Peckenpaugh, Phillips, Reynolds, Rice, Riley, Robbins, Shull, Usher, Watson, Watts, and Wittenmeyer—49.

*Those who voted in the negative were,*

Messrs. Chapman, Cox, Davis of Scott, Donaldson, Essex, Franklin, Gentry, Hammond, Harris, Harrison, Humphreys, Johnston, McCarty, McMakin, Moore, Morgan, Painter, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Ross, Shook, Simler, Stayner, Stone, Thompson of Carroll, Thompson of Delaware, Thorn, Watt, Willard, Williamson, Withers, and Mr. Speaker—32.

So the bill was indefinitely postponed.

On motion,

The order of business was suspended.

Mr. Donaldson, from the committee on Claims, made the following report:

MR. SPEAKER:

The committee on Claims, to whom was referred House bill No. 242, have had the same under consideration, and directed me to report, that from all the information they can gain upon the subject, it appears that Mr. Lucas sent some money to the land office at Peru to be paid out to contractors on the Wabash and Erie Canal, which sum sent to that office exceeded the amount mentioned in this bill, but whether that land office was the proper depository of that money your committee are not advised.

Your committee are also informed and believe that the money was in the care of one Smith, a clerk in that office, who had been appointed by Mr. Lucas, whose duty it was to give a bond to the State to be approved by the Governor; that the bond was never given, but whether Lucas was in fault, your committee does not know; your committee also believe that the clerk of said Lucas took the money and appropriated it to his use, but of this the committee have no evidence.

Your committee have directed me to report the same to the House for its action upon the premises.

No. 242. A bill for the relief of Ebenezer F. Lucas.

The bill was ordered to be engrossed.

Mr. Willard moved to suspend the rule and read the bill a third time,

Which motion did not prevail.

On motion by Mr. Hicks;

The orders of the day were taken up.

A message from the Senate by Mr. Emerson, their Secretary;

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendment of the House to engrossed bill of the Senate

No. 227. An act to authorize William M. Millen, administrator of the estate of James K. Hemphill, to make a deed to John Vawter.

A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representa-

tives, that the Senate have passed the following engrossed bill of the House, with one amendment:

No. 287. An act to locate a state road from Bennettsville, in Clark county, to Salem, in Washington county;

In which amendment the concurrence of the House is respectfully requested.

The amendment of the Senate was concurred in.

Ordered that the Clerk inform the Senate thereof.

A Message from the Senate by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, with sundry amendments:

No. 133. An act to extend the Martinsville and Franklin Railroad via Spencer, in Owen county, to the Wabash and Erie Canal;

No. 405. An act to incorporate the Madison and Vevay Plank Road Company;

In which amendments the concurrence of the House is respectfully requested.

Which amendments were concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, with sundry amendments:

No. 74. An act in relation to sales of lands forfeited to the State by borrowers of college and other funds;

No. 288. An act to locate a state road in the counties of Montgomery and Tippecanoe;

No. 291. An act to provide for the defraying the expenses of selecting the overflowed and swamp lands in the State of Indiana, and for other purposes;

In which amendments the concurrence of the House is respectfully requested.

The amendments of the Senate to bills No. 74 and 288 in the foregoing message, were concurred in.

Mr. Bradley moved to concur in the amendment of the Senate to No. 291, in the message, with the following amendment:

Strike out all after "premises," three lines from the bottom of first page of first section, and insert:

At a rate not exceeding four dollars per day; deputies the same;

assistants not exceeding one dollar and fifty cents per day, and such expenses as may be deemed reasonable, and give them a certificate therefor, which shall be audited by the Auditor of State and paid by the State Treasurer out of any money not otherwise appropriated.

Mr. Stayner moved to lay the amendment of Mr. Bradley on the table.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Blue, Brown of Pike, Brown of Shelby, Campbell, Carr, Caylor, Chapman, Conner, Cox, Edwards, Elkins, Fleece, Franklin, Gentry, Goodman, Goodwin, Graff, Hamilton, Harris, Haywood, Hicks, Humphreys, Isom, Jackson, Johnston, Jordan, Lank, Lindsey, Marvin, McKim, McMakin, Morgan, Nelson, Painter, Peckenpaugh, Phillips, Rice, Riley, Robbins, Shook, Shull, Simler, Stayner, Thompson of Delaware, Watt, Watts, and Withers—47.

*Those who voted in the negative were,*

Messrs. Armstrong, Bird, Bradley, Bulla, Coburn, Cowan, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Essex, Harrison, Hosbrook, Houghman, Hubbard, Jones, Lawrence, Lewis, Marquess, Marshall, McCarty, McClelland, Millikan, Moore, Morrow, Patterson of Marshall, Patterson of Tippecanoe, Pratt, Reynolds, Ross, Thompson of Carroll, Thorn, Usher, Watson, Willard, Wittenmeyer, and Mr. Speaker—39.

So the amendment by Mr. Bradley was laid on the table.

Mr. Davis of Dubois moved to concur with the following amendment:

Strike out \$13 after "surveyors" and insert \$4;

Strike out \$2 after "deputies" and insert \$3;

Strike out \$1 after "hand" and insert \$1 50;

Strike out "County Treasury" and insert State Treasury, so as to make the bill read to pay surveyors \$4, deputy surveyors \$3, and assistants \$1 50 per day, and to be paid by the State Treasury.

Mr. Chapman called the previous question,

Which was seconded by the House.

The question being,

"Shall the main question be now put?"

Was decided in the affirmative.

The main question being in concurring in the amendment of the Senate.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Brown of Shelby, Campbell, Carr, Caylor,

Coburn, Conner, Cox, Crawford, Crim, Essex, Fleece, Franklin, Goodman, Goodwin, Graff, Hamilton, Harris, Haywood, Hicks, Hosbrook, Houghman, Hutchinson, Isom, Johnston, Lank, Lawrence, Lewis, Lindsey, Marshall, Marvin, McCarty, McKim, McMakin, Moore, Morgan, Nelson, Painter, Peckenpaugh, Rice, Riley, Robbins, Shull, Simler, Stone, Usher, Watt, Willard, Williamson, Withers, and Mr. Speaker—51.

*Those who voted in the negative were,*

Messrs. Benson, Bird, Blue, Bradley, Brown of Pike, Bulla, Chapman, Clark, Cowan, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Elkins, Gentry, Harrison, Hubbard, Humphreys, Jackson, Jones, Jordan, Marquess, Millikan, Morrow, Patterson of Marshall, Patterson of Tippecanoe, Phillips, Pratt, Reynolds, Ross, Shook, Stayner, Thompson of Carroll, Thorn, Watson, Watts, and Wittenmeyer—37.

So the amendment of the Senate was concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House that the Senate have passed the following engrossed bill thereof :

No. 265. An act to incorporate the Central Canal Manufacturing, Hydraulic, and Water Works Company ;

In which the concurrence of the House is respectfully requested.

No. 265, in the message, was read a first and second times, the rule being suspended therefor.

Mr. Pratt offered the following amendment :

Add to section 9, "It is further provided that the lessees from the State upon said canal shall have the right to sue said assigns in any court of competent jurisdiction, for any damages they may sustain from the neglect or failure of said assigns to furnish them water, or do any other thing the State has agreed to do."

Which was adopted.

On motion by Mr. Willard,

The bill was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary.

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representa-

sive that the Senate have passed the following engrossed bills thereof:

No. 117. An act to authorize the Madison and Indianapolis Railroad Company to change the location of part of said road ;

No. 242. An act to amend an act entitled "an act to incorporate the Rushville and Muncietown Railroad Company," approved Jan. 21, 1850;

No. 255. An act to incorporate the Liberty and Centreville Railroad Company ;

No. 290. An act to authorize the city of Lafayette to subscribe to the stock of the Lafayette and Indianapolis Railroad Company ;

In which the concurrence of the House is respectfully requested.

No. 117 in the foregoing message was read a first time, and,

On motion by Mr. Davis of Scott,

Rejected by the House.

No. 242 in the message was read a first time.

On motion,

The rule was suspended, the bill was read a second time, and,

On motion by Mr. Brown of Shelby,

Laid on the table.

Nos. 255 and 290 in the foregoing message were each read a first time and passed to a second reading

A message from the Senate by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed joint resolution thereof:

No. 266. A joint resolution in relation to the interest of the State in the Madison and Indianapolis Railroad ;

In which the concurrence of the House is respectfully requested.

The joint resolution was read a first and second times, the rule being suspended therefor.

On motion by Mr. Willard,

The bill was referred to the committee on Ways and Means.

A message from the Senate, by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof:

No. 166. An act to incorporate the Indiana Monumental Association ;

In which the concurrence of the House is respectfully requested.



The bill was read a first time and passed to a second reading.  
A message from the Senate, by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof :

No. 292. An act for the relief of the estate of John Reily, late of Martin county, deceased :

No. 293. An act to change the time of holding the Probate Court in the county of Grant ;

In which the concurrence of the House is respectfully requested.

Bill No. 292 contained in the foregoing message, was read a first time and passed to a second reading.

No. 293 was read a first time.

On motion,

The rule was suspended, the bill read a second and third times and passed.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof :

No. 282. An act to provide for the payment of the debts and liabilities of the Hagerstown Canal Company.

No. 284. An act giving additional time to the Hancock Circuit Court.

In which the concurrence of the House is respectfully requested.

Bill No. 282, contained in this message, was read a first time and passed to a second reading.

No. 284 was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof :

No. 285. An act to incorporate the 'Widows' and Orphans' Asylum of Indianapolis.

No. 287. An act to incorporate the Indiana Female College.  
In which the concurrence of the House is respectfully requested.

Bill No. 285, contained in the above message, was read a first and second times.

Mr. Brown of Shelby offered the following amendment:

SEC. —. That in administering the charity of the said Institution, and selecting the objects of its care, no sectarian distinction shall ever be made, and no orphan shall ever be excluded from its aid on account of religious or sectarian matters or connections; and if the said corporation shall in any instance violate this provision, then and thereafter all its corporate rights shall cease, this charter be forfeited, and all the property of the corporation shall immediately accrue to and be vested in the county of Marion, for the use of the poor.

Which was adopted.

The bill was ordered to a third reading.

On motion,

The rule was suspended, and the bill read a third time, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

Leave was granted Mr. Pratt to withdraw the papers concerning the claim of Amasa P. Carroll from the files of the House.

#### ORDERS OF THE DAY.

No. 287. A bill to incorporate the Trustees of the Indiana Female College;

Was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof:

No. 283. An act to amend an act entitled an act to incorporate the Richmond and Newport Turnpike Company, approved January 5, 1849.

No. 291. An act for the protection of an orphan.

In which the concurrence of the House is respectfully requested.

Bills No. 283 and 291, contained in the foregoing message, were each read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Brown of Shelby,  
Senate bill 240 was taken from the table.

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Bird,

The vote on the passage of No. 462 was reconsidered, and referred to the committee on Corporations by unanimous consent of the House.

On motion by Mr. Edwards,

Senate bill No. 177, a bill to incorporate the Western Plank Road Company, was taken from the table.

Mr. Edwards offered the following amendment:

Amend by adding after the word "company," in the third line of the first section the following:

Incorporated under the provisions of an act entitled an act to incorporate the Western Plank Road Company, approved January 14, 1850, for the purpose of constructing a plank road from the eastern side of the county of Clay, through the counties of Vigo and Clay, to the western line of the county of Vigo.

Add the following section:

SEC. 2. That the word "eastern," where it occurs the second time in the tenth line of first section of said act, in connection with the words, "to the eastern line of Vigo county," is hereby declared to be a misprint and stricken out, and the word "western" substituted, so as to read "to the western line of Vigo county."

Change the number of section 2 to section 3.

Which was adopted.

The bill passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

Mr. Jackson introduced

No. 465. A bill to equalize the price of the swamp lands in the State of Indiana;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

Mr. Lank introduced

No. 466. A bill to prohibit the sale of intoxicating drinks in Randolph county;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

Mr. Crim introduced

No. 467. A bill legalizing certain tax sales in Madison county;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Brown of Shelby,

The House adjourned until half past one o'clock, P. M.

2 o'clock, P. M.

The House met.

On motion,

The order of business was suspended.

On motion by Mr. Goodwin,

*Resolved*, That each member of the Constitutional Convention shall be entitled to a copy of the Journal, and also the Documentary Journal of the present House of Representatives, and that the Public Printer be required to print one hundred and fifty extra copies of each to supply this requirement.

#### SENATE BILLS ON SECOND READING.

No. 222. An act for the relief of John H. Cutter, surviving partner of B. G. Cutter & Co.,

Was read a second time;

On motion by Mr. Edwards,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 223. A bill to authorize certain school districts in Adams county to draw their portion of the common school fund,

Was read a second time, and ordered to a third reading.

No. 238. A bill to authorize the circuit courts to certify certain chancery causes to the Supreme Court,

Was read a second time, and

On motion by Mr. Willard,

Laid on the table.

No. 247. A bill for the relief of Michael Grannin, Jr., of Daviess county,

Was read a second time, and

On motion by Mr. Goodwin,

Referred to the committee on the Judiciary.

No. 248. A bill to amend an act entitled an act to incorporate the Indianapolis and Brownsburg Plank Road Company, approved January 18, 1850,

Was read a second time;

On motion by Mr. Hosbrook,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 249. A Preamble and act relative to vending spirituous liquors in Green township, in Hancock county,

Was read a second time and ordered to a third reading.

On motion,

The order of business was suspended;

On motion by Mr. Millikan,

*Resolved*, That after 9 o'clock to-morrow morning, there shall be no new bills or joint resolutions introduced in this House during the remainder of the present session, without the consent of three-fourths of the members voting.

On motion,

The order of business was suspended;

Mr. Bradley, chairman of the committee on Corporations, made the following report:

MR. SPEAKER:

The committee on Corporations to whom was referred Senate bill No. 220, an act to authorize the extension of the Knightstown and Shelbyville Railroad, have had the same under consideration, and have instructed me to report the same back to the House, with one amendment, and upon the adoption of the same, to recommend its passage.

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 259. A bill for the benefit of the Edinburgh and Western Plank Road Company,

Was read a second time;

On motion by Mr. Hicks,

The rule was suspended and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 262. A bill to legalize certain acts of county Auditors,

Was read a second time;

On motion by Mr. McClelland,

Was laid upon the table.

No. 253. A bill to legalize the survey and location of the Vistula State Road in Elkhart county,

Was read a second and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

#### HOUSE BILLS ON THIRD READING.

No. 437. A bill amendatory and supplemental to an act to incorporate the Vevay, Mount Sterling and Versailles Turnpike Road Company, approved January 4, 1850.

No. 318. A bill amending the criminal law of this State, and declaratory thereof.

No. 365. A bill to amend an act entitled an act to authorize the transfer of cases pending in the Probate to the Circuit court, as far as relates to Putnam county, approved January 16, 1849, and for other purposes.

No. 158. A bill to repeal an act therein named.

No. 346. A bill to authorize the Commissioners of Wabash county to sell the surplus revenue bank stock;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. McClelland,

Bill No. 262 was taken from the table and placed upon the files of the House.

No. 416. A bill in reference to proceedings upon scire facias;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

#### SENATE BILLS ON THIRD READING.

No. 5. A bill to amend an act entitled "an act to incorporate the town of Liberty, in Union county," approved January 18, 1850.

No. 108. A bill to constitute a school district from a portion of territory in the counties of Grant and Blackford.

No. 112. A bill in relation to the commission and punishment of crime.

No. 135. A bill to amend section 2 of an act entitled an act to amend the laws relating to execution of deeds by order of the Probate Court, approved January 15, 1849.

No. 157. A bill to consolidate and publish in one act the several acts incorporating the city of Lawrenceburgh, and to amend and revise the same.

No. 164. A bill to incorporate the Indiana Fire and Marine Insurance Company.

No. 174. A bill relative to the Western Plank Road Company, in Tippecanoe county.

No. 202. A bill for the benefit of the Mount Vernon and New Harmony Plank Road Company.

No. 206. A bill to amend an act entitled "an act to amend the 15th chapter of the Revised Statutes," approved January 16, 1847, so far as relates to the county of Shelby.

No. 231. A bill to vacate a part of Jennings and Jackson streets in the town of Rushville.

No. 229. A bill to amend an act entitled "an act to incorporate the Centreville and Abbington Turnpike Company," approved Feb. 12, 1848.

No. 236. A bill to amend an act entitled "an act to incorporate the Kingstown and Shelbyville Railroad Company.

No. 239. A bill to authorize the voters Jackson township, in the county of Blackford, to vote at Hartford, in said county.

No. 241. A bill to authorize the construction of viaducts under public highways.

No. 267. A bill in relation to the sale of spirituous liquors in Jefferson township, in Wayne county;

Were severally read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Marquess,

The vote on

No. 257. A bill fixing the per diem pay of the members of the Legislature

Was reconsidered.

The question being on the passage of the bill.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Benson, Bird, Blue, Bradley, Brown of Pike, Campbell, Chapman, Clark, Coburn, Cox, Crim, Davis of Dubois, Essex, Graff, Hammond, Harris, Harrison, Hicks, Hosbrook, Houghman, Hubbard, Isom, Jordan, Marquess, McClelland, Moore, Morgan, Morrow, Pancake, Patterson of Marshall, Phillips, Pratt, Riley, Ross, Shull, Stone, Thompson of Carroll, Thorn, and Willard—38.

*Those who voted in the negative were,*

Messrs. Armstrong, Brown of Shelby, Bulla, Carr, Caylor, Edwards, Fleece, Gentry, Goodman, Goodwin, Hamilton, Haywood, Humphreys, Jackson, Johnston, Lawrence, Lewis, Lindsey, Marshall, Marvin, McCarty, McKim, McMakin, Nelson, Painter, Reynolds, Rice, Robbins, Simler, Stayner, Thompson of Delaware, Usher, Watson, Watt, Watts, Wettenmeyer, and Mr. Speaker—36.

So the bill passed.

Ordered that the Clerk inform the Senate thereof.

## SENATE BILLS ON SECOND READING.

No. 232. A bill to amend the common school law.

No. 254. A bill to incorporate the Aurora and Hartford Turnpike Company;

Were each read a second time and ordered to a third reading.

No. 261. An act amendatory of an act entitled an act to incorporate the Ohio and Mississippi Railroad Company;

Was read a second time.

On motion,

The rule was suspended, and the bill was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

## HOUSE BILLS ON THIRD READING.

No. 118. A bill describing the boundaries of Blackford county;  
Was read a third time.

Mr. Thompson of Delaware moved that the bill be indefinitely postponed.

The ayes and noes being demanded by Messrs. Thompson of Delaware and Shull,

*Those who voted in the affirmative were,*

Messrs. Benson, Blue, Brown of Pike, Bulla, Campbell, Carr, Caylor, Clark, Coburn, Conner, Cowan, Crawford, Davis of Scott, Edwards, Essex, Fleece, Gentry, Goodman, Goodwin, Hamilton, Hammond, Haywood, Hicks, Houghman, Hubbard, Isom, Johnston, Jones, Jordan, Lank, Lawrence, Lewis, Lindsey, Marquess, Marshall, McCarty, McClelland, McKim, McMakin, Millikan, Moore, Morgan, Morrow, Patterson of Tippecanoe, Peckenpaugh, Phillips, Pratt, Reynolds, Rice, Riley, Robbins, Stone, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Watson, Watt, and Watts—58.

*Those who voted in the negative were,*

Messrs. Armstrong, Bird, Bradley, Brown of Shelby, Chapman, Cox, Davis of Dubois, Donaldson, Elkins, Graff, Harris, Harrison, Hosbrook, Jackson, Marvin, Nelson, Painter, Pancake, Patterson of Marshall, Ross, Shook, Shull, Simler, Stayner, Willard, Wilson, Wittenmeyer, and Mr. Speaker—27.

So the bill was indefinitely postponed.

On motion,

The order of business was suspended.



On motion by Mr. Thompson of Delaware,

*Resolved unanimously*, That the thanks of this House are due, and are hereby tendered to William R. Bowes, Principal Clerk, and Charles, N. Shook, Assistant Clerk, and their assistants, for the correct, faithful, and impartial manner in which they have discharged their duties as Clerks of the House of Representatives at the present session.

No. 432. A bill to amend an act entitled an act to incorporate the Buffalo and Michigan Railroad Company, approved February 6, 1835, and the several acts amendatory thereto;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 431. A bill to authorize the Auditor, Treasurer, and Secretary of State to lease the building on the Governor's Circle,

Was read a second time.

Mr. Usher offered the following amendment:

Add in the proper place:

*Provided*, That the house and ground shall not be leased to be used in any manner which will render the house less desirable for a dwelling house, nor shall the same be leased for a longer term than one year at one letting, and the same shall be leased to the highest bidder in cash, payable quarterly; and the repairs upon the house, fence, and ground shall be made under the direction of the Auditor, Treasurer, and Secretary of State: *And further*, Each lease shall contain a clause that the ground and house shall be surrendered at any time, upon three months' notice.

Which was adopted.

The bill was then ordered to be engrossed.

#### SENATE BILLS ON SECOND READING.

No. 268. An act to exempt guardians from the payment of Clerks' fees in certain cases,

Was read a second time;

On motion by Mr. Dumont,

The rule was suspended, and the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 271. A bill to amend an act entitled an act to incorporate the city of Richmond, Wayne county, Indiana, approved February 24, 1840,

Was read a second time and ordered to a third reading.

No. 276. A bill to locate a state road in Warren and Fountain counties,

Was read a second and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,  
The order of business was suspended.  
On motion by Mr. Stone,

*Resolved*, That the thanks of this House be unanimously tendered to Hon. E. Dumont for the faithful, impartial and able manner in which he has discharged his duty as Speaker of this House.

#### HOUSE BILLS ON THIRD READING.

No. 407. A bill authorizing the Governor and Auditor of State to pay the taxes on the Georgia lands, and for other purposes,  
Was read a third time;  
The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Benson, Bird, Bradley, Brown of Pike, Brown of Shelby, Campbell, Chapman, Clark, Cowan, Crawford, Crim, Davis of Scott, Donaldson, Elkins, Essex, Franklin, Gentry, Graff, Hamilton, Harrison, Hicks, Humphreys, Lank, Lawrence, Lewis, Marquess, Marshall, McClelland, Morgan, Nelson, Painter, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Pratt, Rice, Ross, Shull, Simler, Stayner, Thorn, Watson, Willard, Withers, and Mr. Speaker—46.

*Those who voted in the negative were,*

Messrs. Blue, Carr, Caylor, Coburn, Cox, Davis of Dubois, Edwards, Fleece, Goodman, Goodwin, Hammond, Haywood, Hosbrook, Houghman, Hubbard, Isom, Johnston, Jones, Jordan, Lindsey, Marvin, McCarty, McKim, McMakin, Millikan, Moore, Morrow, Peckenpaugh, Phillips, Reynolds, Riley, Robbins, Shook, Stone, Thompson of Carroll, Thompson of Delaware, Usher, Watt, Watts, and Wittenmeyer—40.

So the bill passed.

On motion,

The title was amended as follows:

A bill to confirm the title of the Georgia lands to Martin R. Green.

Ordered that the Clerk inform the Senate thereof.

No. 448. A bill to incorporate the White Water Valley Railroad Company,

Was read a third time, and

On motion by Mr. Chapman,

Indefinitely postponed.

No. 409. A bill to confer additional powers upon Superintendents of County Asylums,  
 Was read a third time, and  
 On motion by Mr. Chapman,  
 Indefinitely postponed.

SENATE BILLS ON THIRD READING.

No. 281. A bill to re-locate the seat of justice of Fountain county,  
 Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 172. A bill to apportion the Senators and Representatives for the next five years,

Was read a third time.

Mr. McMakin moved to recommit, with instructions to amend so that Montgomery county shall elect one in the year 1851, and one in the year 1852, as its proportion of floats as the present apportionment.

Mr. Robbins offered the following amendment to the instructions: Amend by striking out 1853 and 1855 where it occurs in said bill.

Mr. Humphreys called the previous question,

Which was seconded by the House.

The question being, Shall the main question be now put?

Was decided in the affirmative.

The main question being, Shall the bill pass?

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Campbell, Carr, Caylor, Chapman, Cox, Crawford, Davis of Scott, Donaldson, Elkins, Essex, Franklin, Gentry, Graff, Hamilton, Harrison, Haywood, Hicks, Hosbrook, Humphreys, Jackson, Lewis, Lindsey, Marquess, Marvin, McClelland, McKim, Millikan, Moore, Morgan, Morrow, Nelson, Painter, Patterson of Marshall, Rice, Ross, Shull, Simler, Thorn, Watson, Watt, Watts, Willard, Withers, and Wittenmeyer—49.

*Those who voted in the negative were,*

Messrs. Armstrong, Bulla, Clark, Coburn, Cowan, Crim, Edwards, Fleece, Goodman, Goodwin, Harris, Houghman, Hubbard, Johnston, Jones, Jordan, Lank, Lawrence, Marshall, McCarty, McMakin, Patterson of Tippecanoe, Phillips, Pratt, Reynolds, Riley, Robbins, Shook, Stayner, Stone, Usher, and Mr. Speaker—34.

So the bill passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

Mr. Bird introduced

No. 468. A bill amendatory of an act incorporating the Ohio, Indiana, and Lake Michigan Railroad Company, approved January 17, 1849;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

#### SENATE BILLS ON SECOND READING.

No. 264. A bill for the relief of Daniel Stowell, of St. Joseph county;

Was read a second time.

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

Mr. Elkins was granted leave of absence on account of sickness.

No. 278. A bill to incorporate the Clinton Draw Bridge Company;

Was read a second time.

On motion by Mr. Wittenmeyer,

The bill was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 279. A bill for the benefit of the Agent of State;

Was read a second time.

On motion by Mr. Dumont,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

On motion by Mr. Stone,

*Resolved*, That the thanks of this House be unanimously tendered to Lewis Bollman and J. T. Bosworth, for the faithful and impartial manner in which they have reported the proceedings of this body.

On motion,

The order of business was suspended, and

Mr. Ross introduced

No. 469. A joint resolution for the distribution of the Debates of the Constitutional Convention;

Which was read a first and second times, the rule being suspended therefor,

Mr. Edwards moved to amend by inserting "Journal" in the proper place.

Which motion prevailed.

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 280. A bill authorizing the Board of Commissioners of Martin county to order a vote to be taken in a certain case, relating to the seat of justice of said county;

Was read a second and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Lewis,

The vote on the passage of bill

No. 178. A bill providing for a geological and topographical survey of the State,

Was reconsidered.

The question being on the passage of the bill,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Blue, Brown of Pike, Brown of Shelby, Bulla, Campbell, Caylor, Coburn, Crawford, Davis of Scott, Donaldson, Franklin, Graff, Harris, Harrison, Hosbrook, Houghman, Hubbard, Jones, Jordan, Lawrence, Lewis, Marquess, McCarty, McMakin, Millikan, Morgan, Patterson of Marshall, Phillips, Riley, Simler, Thorn, Usher, Watts, Willard, Wittenmeyer, and Mr. Speaker—36.

*Those who voted in the negative were,*

Messrs. Bird, Carr, Chapman, Clark, Cox, Crim, Davis of Dubois, Edwards, Fleece, Gentry, Goodman, Goodwin, Hammond, Haywood, Hicks, Humphreys, Isom, Jackson, Johnston, Lank, Lindsey, Marvin, McKim, Moore, Morrow, Nelson, Painter, Peckenpaugh, Pratt, Reynolds, Rice, Robbins, Shook, Shull, Thompson of Carroll, Watson, and Watt—37.

So the bill did not pass.

On motion,

The order of business was suspended, and

Mr. Crawford, from a select committee, made the following report:

MR. SPEAKER :

The select committee, to whom was referred a petition of sundry citizens of the town of Milford, Decatur county, Indiana, have had the same under consideration, and have directed me to report the

same to the House, with the following bill, and recommend its passage :

No. 470. A bill to incorporate the town of Milford, in Decatur county.

Was read a first time and passed to a second reading.

On motion,

The order of business was suspended, and

Mr. Willard, from the committee on Corporations, made the following report:

**MR. SPEAKER:**

The committee on Corporations, to whom was referred House bill No. 436, have instructed me to report the same back and recommend its indefinite postponement.

Which was concurred in.

On motion by Mr. Graff,

The vote on the indefinite postponement of No. 436, was reconsidered.

The question being on concurring in the report,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Blue, Brown of Shelby, Campbell, Carr, Chapman, Clark, Coburn, Cowan, Davis of Scott, Donaldson, Essex, Franklin, Gentry, Hosbrook, Hubbard, Humphreys, Jackson, Lindsey, Marvin, Moore, Morgan, Painter, Phillips, Shook, Shull, Stayner, Watts, and Willard—29.

*Those who voted in the negative were,*

Messrs. Bradley, Brown of Pike, Caylor, Cox, Crawford, Crim, Davis of Dubois, Edwards, Fleece, Goodwin, Graff, Hammond, Harris, Haywood, Hicks, Houghman, Isom, Johnston, Jordan, Lank, Lawrence, McKim, McMakin, Nelson, Peckenpaugh, Pratt, Rice, Riley, Robbins, Ross, Stone, Thompson of Carroll, Thorn, Watson, Watt, Wittenmeyer, and Mr. Speaker—37.

So the report was not concurred in, no quorum voting.

Mr. Phillips moved that the House adjourn.

Which motion did not prevail.

Mr. Johnston moved a call of the House;

Which motion did not prevail.

On motion by Mr. Willard,

A call of the House was ordered.

On motion,

Mr. Marshall was excused on the account of sickness;

On motion,

Mr. Schwartz was excused the remainder of the session.

On motion,

Mr. Swihart of Wabash, and Mr. Swihart of Huntington, were excused the remainder of this session.

On motion,

Mr. Williamson was excused on the account of sickness.

On motion,

Mr. Wilson was excused on the account of sickness.

On motion,

Mr. Mercer was excused from the fact that he was on a visit to the "deep diggings."

On motion by Mr. Brown of Shelby,

A further call of the House was dispensed with.

The question being on concurring in the report of the committee,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Blue, Brown of Shelby, Campbell, Carr, Chapman, Davis of Scott, Donaldson, Essex, Franklin, Gentry, Harrison, Hubbard, Humphreys, Jackson, Lank, Lindsey, Marvin, Millikan, Moore, Morrow, Painter, Pancake, Patterson of Marshall, Phillips, Shook, Simler, Stayner, Watts, and Willard—31.

*Those who voted in the negative were,*

Messrs. Bradley, Brown of Pike, Caylor, Clark, Coburn, Cowan, Cox, Crawford, Crim, Davis of Dubois, Edwards, Fleece, Goodman, Goodwin, Graff, Harris, Haywood, Hicks, Hosbrook, Houghman, Isom, Jones, Jordan, Lawrence, Marquess, McKim, McMakin, Morgan, Nelson, Peckenpaugh, Pratt, Reynolds, Rice, Riley, Robbins, Ross, Stone, Thompson of Carroll, Thompson of Delaware, Thorn, Watson, Watt, Withers, Wittenmeyer, and Mr. Speaker—45.

So the report was not concurred in.

The question being on the engrossment of the bill,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Bradley, Brown of Pike, Caylor, Clark, Coburn, Cowan, Cox, Crawford, Crim, Davis of Dubois, Edwards, Fleece, Goodman, Goodwin, Graff, Harris, Haywood, Hicks, Hosbrook, Houghman, Isom, Jackson, Jones, Marquess, McCarty, McKim, McMakin, Millikan, Morgan, Morrow, Nelson, Pancake, Peckenpaugh, Pratt,

Reynolds, Rice, Riley, Robbins, Ross, Stone, Thompson of Carroll, Thorn, Watson, Withers, Wittenmeyer, and Mr. Speaker—46.

*Those who voted in the negative were,*

Messrs. Armstrong, Bird, Blue, Campbell, Carr, Chapman, Davis of Scott, Donaldson, Essex, Gentry, Hamilton, Hubbard, Lank, Lindsey, Marvin, Moore, Painter, Patterson of Marshall, Phillips, Shook, Stayner, Watts, and Willard—23.

So the bill was ordered to be engrossed.

No. 237. A bill to amend the charter of the Central Plank Road Company.

Mr. Coburn moved to concur in the amendments of the Senate, with the following amendment:

Strike out all after the word "provided," and insert the following: That no toll shall ever be taken from any officer or agent of the Indiana Hospital for the Insane, or the Deaf and Dumb Asylum, while on the business of such institutions; nor shall any toll be taken from any member or officer of either branch of the General Assembly while visiting such Institutions.

*Provided, also,* That it shall be the duty of toll gatherers to ask of persons passing the gates, how far they have traveled on such road, and charge them according to the distance they have traveled, and no more.

*Provided further,* That said company shall not be permitted to erect or maintain any toll gates within the donation limits of the city of Indianapolis.

Mr. Hicks moved to indefinitely postpone the bill and pending amendments,

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Bradley, Caylor, Cox, Hicks, Johnston, Lawrence, McCarty, Millikan, Patterson of Marshall, Peckenpaugh, Pratt, Robbins, Thompson of Carroll, Thompson of Delaware, Watson, and Mr. Speaker—16.

*Those who voted in the negative were,*

Messrs. Armstrong, Bird, Blue, Brown of Pike, Brown of Shelby, Campbell, Carr, Chapman, Clark, Coburn, Crawford, Crim, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Essex, Fleece, Gentry, Goodman, Hamilton, Harris, Haywood, Hosbrook, Houghman, Hubbard, Humphreys, Isom, Jackson, Jordan, Lindsey, Marquess, Marvin, McMakin, Moore, Morgan, Morrow, Nelson, Pancake, Painter,



Phillips, Reynolds, Rice, Riley, Ross, Shook, Stayner, Stone, Thorn, Usher, Watt, Withers and Wittenmeyer—53.

So the bill was not indefinitely postponed.

Mr. Chapman moved to lay the amendment of Mr. Coburn on the table;

Which motion prevailed.

Mr. Edwards moved to concur in the amendment of the Senate, with the following amendment:

Strike out "three" and insert "one and a half."

Add the following proviso:

*Provided*, That the corporate authorities of the city of Indianapolis, shall keep in order and repair so much of Washington street as lies within the corporation limits of said city, said company shall not charge and receive toll for travel upon said street within the corporation limits aforesaid, nor for passing the toll gates to visit any of the benevolent institutions, or returning from the same, nor any State officer of this State when on public business.

On motion by Mr. Chapman,

The amendment of Mr. Edwards was laid upon the table.

The question then being on concurring in the amendments of the Senate,

Was decided in the affirmative.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended;

On motion by Mr. Chapman,

*Resolved*, That when this House adjourns it will adjourn to meet again at half past six o'clock this evening, for the purpose of going through the files of the House.

Mr. Willard moved that the committee on Ways and Means be excused for the evening,

Which motion did not prevail.

On motion by Mr. Nelson,

The House adjourned to meet at 7 o'clock, P. M.

7 o'clock, P. M.

The House met.

On motion,

The order of business was suspended, and

Mr. Chapman, chairman of the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred sundry petitions and remonstrances on the subject of consolidating and uniting the counties of Noble and LaGrange, have had the same under consideration, and have directed me to report that they deem it inexpedient to legislate on said subject.

Which was concurred in.

On motion,

Leave was granted Mr. Jones to withdraw from the files of the House certain papers.

On motion,

The order of business was suspended, and

Mr. Johnston, from the committee on Military Affairs, made the following report:

MR. SPEAKER:

The committee on Military affairs, to whom was referred resolution of the House, directing the committee to inquire into the expediency of erecting a Hospital for the wounded of the Convention, have had the same under consideration, and have directed me to report:

That inasmuch as the wounded have all recovered, and are now on their way to their respective homes, that in the opinion of the committee, further legislation is unnecessary, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

On motion,

The order of business was suspended,

Mr. Chapman, chairman of the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred bill of

the Senate, No. 204, have had the same under consideration, and have directed me to report the same back and recommend its indefinite postponement:

Which was concurred in.

On motion,

The order of business was suspended.

Mr. Chapman, chairman of the committee on the Judiciary, made the following report :

MR. SPEAKER :

The committee on the Judiciary, to which was referred bill No. 414, have had the same under consideration, and have directed me to report the same back and recommend its indefinite postponement.

Which was concurred in.

On motion,

The order of business was suspended.

Mr. Pratt introduced

Eight petitions from the citizens of Cass county, on the subject of temperance ;

Which,

On motion,

Were referred to the committee on Temperance.

On motion,

The order of business was suspended.

Mr. Patterson of Marshall introduced

No. 471. A bill restricting the grand jury in the county of Marshall to a limited time in their sessions ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

Mr. Bird introduced

No. 472. A bill to incorporate the Fort Wayne and Lafayette Railroad Company ;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended, and

Mr. Bradley introduced

No. 473. A bill supplemental to an act entitled an act to provide for the defraying the expenses of selecting the overflowed and swamp lands in the State of Indiana, and for other purposes, passed in February, 1851 ;

Which was read a first, second, and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

Mr. Humphreys introduced

No. 474. A bill to amend an act providing for the election of township Assessors in the counties of Greene and Hamilton, approved January 18, 1850 ;

Which was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

Mr. Goodwin, from the committee on Military Affairs, made the following report :

**MR. SPEAKER :**

The committee on Military Affairs, to whom was referred the petition of Philo Hayes, of the county of Daviess, asking for the relief therein specified, have had the same under consideration and directed me to report the accompanying bill and recommend its passage :

No. 475. A bill for the relief of Philo Hayes, of the county of Daviess ;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended, and,

Mr. Chapman, chairman of the committee on the Judiciary, made the following report :

**MR. SPEAKER :**

The committee on the Judiciary, to whom was referred the petition of sundry citizens of Jay county, on the subject of the jurisdiction of Justices of the Peace, have had the same under consideration and have directed me to report that in their opinion, it is inexpedient to legislate on the subject matter therein contained.

Which was concurred in.

On motion,

The order of business was suspended.

Mr. Gentry, chairman of the committee on Military Affairs, made the following report :

MR. SPEAKER :

The committee on Military Affairs, to whom was referred the petition of Jesse Reader, asking for the relief therein referred to, have considered the same and directed me to report the following bill and recommend its passage :

No. 476. A bill for the relief of Jesse Rader of the county of Monroe ;

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended, and

Mr. Chapman, from the committee on the Judiciary, made the following report :

MR. SPEAKER :

The committee on the Judiciary, to whom was referred bill of the House, No. 447, have had the same under consideration and have directed me to report the same back and recommend its indefinite postponement.

Which was concurred in.

On motion,

The order of business was suspended, and

Mr. Jordan from a select committee, made the following report :

MR. SPEAKER :

The select committee, to whom was committed bill of the House, No. 398, an act more effectually to prevent the sale of spirituous liquors, have had the same under consideration and directed me to propose the following amendments, and when adopted, recommend its passage and ask to be discharged from the further consideration of the subject :

Strike out section 6, and insert the following :

Sec. 6. This act shall not take effect in any county, until a majority of voters voting at some general election in such county, shall endorse on their tickets the words "no license."

*Provided*, That it shall be lawful for each of the qualified voters of the several counties to endorse on their respective tickets the words "license," or "no license," at the next general election after the passage of this act, and at each general election thereafter, until it is adopted by a majority of the voters thus voting in such county.

Strike out section 7, and insert the following :

Sec. 7. It shall be the duty of the inspectors and judges of elections, to certify the number of votes given against license, to the Clerk of the proper Circuit Court, whose duty it shall be to make out

the number of votes thus cast against license, under his certificate, and if a majority of all the votes cast shall be against license, then the Clerk shall cause such certificate to be published in some public newspaper in such county, or adjacent county, and this act shall be in force from and after the date of such publication in such county thus voting.

Mr. Gentry moved to lay the bill and pending amendments upon the table.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Brown of Pike, Brown of Shelby, Carr, Caylor, Conner, Cowan, Cox, Davis of Scott, Essex, Gentry, Goodwin, Graff, Harris, Haywood, Hicks, Hosbrook, Houghman, Humphreys, Isom, Johnston, Lewis, Marvin, McMakin, Morgan, Nelson, Peckenpough, Rice, Shook, Watson, and Willard—32.

*Those who voted in the negative were,*

Messrs. Blue, Bradley, Bulla, Chapman, Clark, Donaldson, Edwards, Harrison, Hubbard, Hutchinson, Jackson, Jones, Jordan, Lawrence, Lindsey, Millikan, Moore, Morrow, Pancake, Patterson of Marshall, Phillips, Pratt, Reynolds, Riley, Robbins, Ross, Simler, Stayner, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Watt, Withers, and Wittenmeyer—35.

So the bill and pending amendments were not laid upon the table.

Mr. Goodwin moved to recommit the bill with instructions to "except the counties of Daviess and Martin."

Mr. Gentry moved to amend the instructions by "excepting the county of Monroe."

Mr. Humphreys moved to indefinitely postpone the bill and pending amendments.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Brown of Pike, Brown of Shelby, Carr, Caylor, Cowan, Cox, Davis of Dubois, Edwards, Essex, Gentry, Goodwin, Graff, Harris, Haywood, Hicks, Houghman, Humphreys, Isom, Marvin, McMakin, Morgan, Nelson, Peckenpough, Rice, Shook, Watson, and Willard—29.

*Those who voted in the negative were,*

Messrs. Blue, Bradley, Bulla, Chapman, Clark, Coburn, Conner,

Davis of Scott, Donaldson, Hosbrook, Hubbard, Hutchinson, Jackson, Johnston, Jones, Jordan, Lawrence, Millikan, Moore, Morrow, Patterson of Marshall, Pratt, Riley, Robbins, Ross, Simler, Stayner, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Watt, Withers, and Wittenmeyer—34.

So the bill and pending amendments were not indefinitely postponed.

On motion by Mr. Caylor,  
A call of the House was ordered.

On motion,

Messrs. Goodman, McKim, Williamson, and Wilson, were excused on the account of sickness.

After spending some time in a call of the House, (24 members absent,)

On motion,

A further call of the House was dispensed with.

On motion by Mr. Chapman,

No. 398. A bill the more effectually to prevent the sale of spirituous liquors;

Was informally passed over until to-morrow morning.

On motion,

The order of business was suspended;

Mr. Donaldson introduced

No. 477. A bill to amend the charter of the Central Plank Road Company,

Which was read a first time and passed to a second reading.

On motion,

The order of business was suspended;

Mr. Pratt introduced

No. 478. A bill relative to the taxation of costs in certain cases,

Which was read a first and second times, the rule being suspended therefor.

Mr. Chapman moved to amend by striking out "so much as pertains to deeds and official bonds;"

Which motion prevailed.

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

Mr. Ross, from the committee on Corporations, made the following report:

**MR. SPEAKER:**

The committee on Corporations to whom was referred House bill No. 430, "An act to incorporate the Goshen and Fort Wayne Rail-

road Company," have had the same under consideration, and have instructed me to report the same back to the House, and to recommend its indefinite postponement;

Which was concurred in.

On motion,

The order of business was suspended, and

Mr. Usher, chairman of the committee on Claims, made the following report:

MR. SPEAKER:

The committee on Claims have had under consideration the petition of H. R. Colerick, for damages done by the North feeder dam, and directed me to report against the prayer of said petition; it appearing that more than two years have elapsed since the damages occurred, complained of by the petition.

Which was concurred in.

On motion,

The order of business was suspended, and

Mr. Morgan introduced

No. 479. A bill relative to the practice of the law in Marion county,

Which was read a first time and passed to a second reading.

On motion by Mr. Davis of Scott,

The veto message of the Governor on bill 366: "A bill to amend an act entitled an act supplementary to an act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville, approved January 19, 1846, and January 27, 1847," of the last session of the General Assembly, Was considered.

The question being, Shall the bill pass, the objections of the Governor to the contrary?

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Harrison, Hicks, and Pratt—4.

*Those who voted in the negative were,*

Messrs. Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Carr, Caylor, Chapman, Clark, Coburn, Conner, Cowan, Cox, Davis of Dubois, Davis of Scott, Donaldson, Edwards, Essex, Gentry, Goodwin, Graff, Harris, Haywood, Hosbrook, Houghman, Hubbard, Humphreys, Hutchinson, Isom, Jackson, Johnston,



Jones, Jordan, Lawrence, Lindsey, Marvin, McMakin, Millikan, Moore, Morgan, Morrow, Nelson, Pancake, Patterson of Marshall, Peckenpaugh, Phillips, Reynolds, Rice, Riley, Robbins, Shook, Simler, Stayner, Thompson of Carroll, Thompson of Delaware, Thorn, Usher, Watson, Watt, Willard, and Wittenmeyer—63.

So the bill did not pass.

Mr. Donaldson moved to adjourn ;

Which motion did not prevail.

On motion,

The order of business was suspended, and

Mr. Thompson of Carroll, from a select committee, made the following report:

**MR. SPEAKER :**

The select committee to whom was referred the petition of sundry citizens of Carroll county, praying an act to reinstate the office of county Auditor in the county of Carroll, and a remonstrance on the same subject, have had the same under consideration, and direct me to report that it is inexpedient to legislate thereon at this time, and ask to be discharged from further consideration of the subject,

Which was concurred in.

On motion by Mr. Johnston,

The following messages from the Senate were taken up:

A message from the Senate, by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, with sundry amendments:

No. 435. A Joint Resolution in relation to the Slave Trade ;

In which amendments the concurrence of the House is respectfully requested.

The amendments of the Senate to bill No. 435, contained in this message, were concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following bills of the House, with sundry amendments:

No. 236. An act to incorporate the White River Navigation Company.

No. 383. An act to incorporate the Franklin Insurance Company.

In which amendments the concurrence of the House is respectfully requested.

The amendments of the Senate to bills Nos. 383 and 236, contained in the foregoing message,

Were concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary;

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, with sundry amendments:

No. 36. An act to extend the time of holding courts in the county of Tipton.

No. 364. An act to incorporate the Madison and Cross Plains Plank Road Company.

No. 442. An act to authorize the board of commissioners of Putnam county to issue bonds.

In which amendments the concurrence of the House is respectfully requested.

The amendments of the Senate to bills Nos. 36, 364, and 442, contained in the foregoing message,

Were concurred in.

Ordered that the Clerk inform the Senate thereof.

A Message from the Senate by Mr. Emerson, their Secretary.

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof:

No. 294. An act to incorporate the Bedford Central Plank Road Company;

No. 299. An act to authorize the removal of drift and obstructions from Little River in Allen and Huntington counties;

In which the concurrence of the House is respectfully requested.

No. 294, contained in the foregoing message,

Was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

No. 299, in the foregoing message,

Was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill thereof, to-wit:

No. 296. An act in relation to the State House roof;

In which the concurrence of the House is respectfully requested.

No. 296, was read a first and second times, the rule being suspended therefor, and,

On motion by Mr. Edwards,

Rejected by the House.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bill thereof:

No. 150. An act providing for the location of a State road from Troy, in Perry county, to Spencer, in Owen county, in this State;

In which the concurrence of the House is respectfully requested.

The bill in the foregoing message, was read a first and second times, the rule being suspended therefor, and,

On motion by Mr. Humphreys,

The blank in the bill was filled by inserting the name of "John Christ;"

The bill was ordered to a third reading.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bills thereof:

No. 207. An act to amend article 5, of chapter 48, of the Revised Statutes of 1843, in relation to the writ of *ad quod damnum*;

No. 274. An act relative to township elections, when there is more than one precinct in any township, in the counties of Daviess and Martin;

No. 297. An to amend the practice in transitory actions;

No. 298. An act to incorporate the Patriot and Allensville Turnpike Company;

In which the concurrence of the House is respectfully requested.

No. 207, in the message, was read a first and second times, the rule being suspended therefor, and,

On motion by Mr. Chapman,

Referred to the committee on the Judiciary.

No. 274, in the message,

Was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

No. 297, in the message,

Was read a first time and passed to a second reading.

No. 298, in the message,

Was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

Mr. Dumont introduced,

No. 480. A bill to amend an act, entitled "an act to improve the roads in Centre township, in Dearborn county, approved January 18, 1847 ;

Which was read three several times the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

Mr. Gentry, chairman of the committee on Military Affairs, made the following report :

**MR. SPEAKER:**

The committee on Military Affairs, to whom a resolution was referred in regard to obtaining the consent of Congress for the diversion of the University Fund to the use of common schools, have directed me to make the following report :

1. That such diversion, even with the consent of Congress, would be in plain violation not only of the spirit, but of the direct provisions of the existing Constitution of the State. The Constitution provides that the moneys arising out of the sale of lands granted for the use of schools, or Seminaries, shall be and remain a fund for the exclusive purpose of promoting literature and the sciences, and for the support of Seminaries and public schools. The University Fund originated in a grant of lands from Congress for the use of a Seminary, which according to the terms of the grant, vested in the Legislature, to be appropriated solely to the use of such Seminary. By the Constitution of the State, the lands granted for the use of the Seminary, must be applied for that exclusive purpose, in the same manner that the lands granted for the use of schools must be applied exclusively to the support of schools.

2. Legislation with a view to a change in the existing Constitution, would not be proper ; but were it so, the subject is equally foreclosed by a section in the Constitution, which is about to be proposed to the people. It is in the words following: "All trust funds held by the State, shall remain inviolate, and be faithfully applied to the exclusive purposes for which the trust was created." This section was adopted in the Convention, after full debate upon the question of diverting the University Fund, with the consent of Congress, to the use of common schools.

3. The diversion of the fund would be in violation of that good faith toward a portion of our own citizens which it is one of the highest duties of a government to observe. The site of the Seminary, now known as the Indiana University, was established on one of the townships of land granted for its support, and with the express views of enhancing the price of the land, and thereby increasing the endowment. The lands were, in consequence of this inducement held out to purchasers, sold at greatly enhanced prices. The diversion of the fund, involving the destruction of the Institution as a consequence, would seem to inflict a great injury upon individuals without any corresponding public advantages.

4. The diversion, as proposed, would be impolitic. Funds have been invested in buildings, the different departments of instruction used in such institutions have been organized, the Institution is in full operation with an annual number of one hundred and eighty students. Sixty young men from different counties in the State are educated without charge for tuition. Were the whole annual income of the University dispersed among the common schools of the State, the proportion to each scholar, with our present population, would be but about a cent annually to each scholar.

Finally, it may be observed, that the policy of the general government in the donation of public lands to the new States has been settled and uniform for the period of more than half a century. This policy has been to reserve a large quantity of the public lands for the use of common schools, and to make comparatively a small reservation for the use of a higher seminary of learning. No single State has yet complained of this policy on the part of the general government, or asked a change in that policy. On the contrary, California, upon her recent admission, through her distinguished Senator, Mr. Fremont, asked and obtained four townships of land for the endowment of a University in that State.

The committee, believing the diversion of the University Fund in the manner proposed, to be contrary to the Constitution of our State, contrary to the settled policy of Congress, in violation of good faith to our own citizens, and impolitic, recommend the indefinite postponement of the subject, and ask to be discharged from the further consideration thereof.

Which was concurred in.

On motion by Mr. Armstrong,

The vote on the passage of Senate bill No. 14, a bill abolishing the office of County Auditor in the county of Ohio, was reconsidered.

On motion by Mr. Armstrong,

The bill was laid upon the table.

On motion,

The order of business was suspended.

Mr. Rice presented

The petition of sundry citizens of Orange county, praying the vacation of a certain State road ;

Which,

On motion,

Was referred to a select committee consisting of Messrs. Rice, Goodwin, and Isom.

Mr. Johnston moved to reconsider the vote on the rejection of Senate bill No. 296, a bill in regard to repairs of the State House ;

Which motion did not prevail.

On motion by Mr. Chapman,

The following message from the Senate was taken up :

A message from the Senate, by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bill of the House, with sundry amendments :

No. 160. An act for the more effectual assessment and valuation of the personal property, moneys, rights, credits, effects, and corporation stocks in the State of Indiana.

In which amendments the concurrence of the House is respectfully requested.

Mr. Chapman moved to concur in the amendments of the Senate, with the following amendment :

Strike out all that refers to outstanding demands.

Mr. Shook, chairman of the committee on Enrolled Bills, made the following report :

**MR. SPEAKER :**

The committee on Enrolled Bills have examined the following bill and find it correctly enrolled :

No. 314. An act to change the time of holding the circuit courts in the thirteenth judicial circuit.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Elkins, from the committee on Enrolled Bills, made the following report:

**MR. SPEAKER:**

The committee on Enrolled Bills have examined bills Nos. 326, 282, 135, 233, 29, 356, and 270, and find them correct.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Elkins, from the committee on Enrolled Bills, made the following report:

**MR. SPEAKER:**

The committee on Enrolled Bills, have compared the enrolled act of the House, No. 363, with the enrolled, and find the same correctly enrolled.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

A Message from the Senate by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, without amendment:

No. 377. An act to authorize the formation of gas-light companies.

No. 426. An act to reinstate the office of County Auditor in the county of Johnson.

A message from the Senate, by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, without amendment:

No. 151. An act to amend the charter of the town of Terre Haute.

No. 174. An act to authorize the building of a bridge across Laughery creek by Andrew Morgan.

No. 219. An act to incorporate the Rising Sun Hotel Company.

No. 228. An act providing for the annexation of Lamasco to Evansville.

No. 253. An act to regulate the mode of doing township business in the county of Wabash.

No. 309. An act to fix the compensation of clerks of the circuit court in cases of naturalization in the 12th judicial circuit.

No. 321. An act to incorporate the Wabash and Marion Plank Road Company.

No. 333. An act to extend the time of holding the sessions of the board of county commissioners of Warren county.

No. 337. An act to extend an act entitled an act to authorize the sheriff of Lawrence county to serve process issued by Justices of the Peace in certain cases, to the county of Owen.

No. 338. An act to incorporate the Wabash, Warsaw and Goshen Plank Road Company.

No. 344. An act to authorize the Treasurer of Laporte county to charge a per centage on road tax receipts.

No. 362. An act to repeal an act to amend the Statute, providing for taking a change of venue in criminal cases, as far as Allen county is concerned, approved January 16, 1849.

No. 371. An act declaring a certain name a misprint.

No. 377. A Joint Resolution suspending the operation of a certain act therein named.

No. 385. An act providing for electing township assessors in Rush county.

No. 388. An act to authorize the city of Madison to borrow money.

No. 395. An act to locate a state road in the counties of Marion and Boone.

No. 402. An act to repeal the act entitled an act to prohibit the sale of intoxicating drinks in Blue river township, Johnson county, approved January 21, 1850.

No. 412. An act for the relief of the purchasers of school lands in the county of La Grange.

No. 413. An act to amend an act therein named.

No. 422. A Joint Resolution in relation to papers and records appertaining to the Wabash and Erie Canal, its extensions and feeders.

No. 427. An act to amend the charter of the town of Dublin in Wayne county.

No. 428. An act to repeal an act entitled an act to regulate the practice of law in the La Grange circuit court.

No. 438. An act to authorize Joseph Morrow, Silas Parks, and Robert Wilson, commissioners appointed by the Grant Probate court to sell the real estate of William Wallace, deceased, at private sale.

No. 439. An act to enable John Travis of Laporte county, to prosecute a suit for a divorce.

No. 441. An act for the relief of persons who have suffered by the destruction of the Justice's docket of Joseph F. Marshall, a Jus-



tice of the Peace of the county of Hancock, on the 24th of December, 1850.

No. 443. An act to aid in the collection of the Surplus Revenue in Carroll county.

No. 446. An act to vacate a certain street in the town of Crawfordsville.

A message from the Governor by Mr. Noel, Executive Messenger

MR. SPEAKER:

I am directed by the Governor to inform the House of Representatives, that he has approved and signed the following bills:

No. 295. A bill to locate a state road in the counties of Crawford and Perry.

No. 168. An act to authorize the Lafayette Insurance Company to increase its capital stock.

No. 186. An act defining the boundaries of Laporte, Porter and Lake counties.

No. 193. An act to authorize the election of a county surveyor in Greene county.

No. 239. An act to give county Treasurers until the first day of April, 1851, to make settlement with the Auditor of State.

No. 357. An act to vacate a part of "Gilmore's Addition" to the village of Angola, in Steuben county.

No. 229. An act to amend an act entitled an act to incorporate the Indianapolis and Springfield Plank Road Company, approved January 19, 1850.

No. 211. An act to amend an act entitled an act to incorporate the town of Newburn, in Bartholomew county, approved January 14, 1850.

No. 181. An act to enable the qualified voters of District No. 6, township No. 26, range No. 1 west, in Carroll county, to levy a tax in said district sufficient to build a school house.

No. 208. An act to amend an act entitled an act to compel speculators to pay a tax equal to that paid by actual settlers in the county of Lagrange, approved January 21, 1850.

No. 370. An act to amend an act entitled an act to incorporate the German Theological Seminary of the German Evangelical Lutheran Synod of Missouri, Ohio and other states, approved Jan. 21, 1850.

No. 235. An act to locate a state road in the counties of Cass and Howard.

No. 297. An act for the relief of the inhabitants of District No. 1, in congressional township No. 1, north of range No. 2 west, in Orange county.

No. 349. An act to extend the provisions of an act therein named, to the county of Ripley.

No. 252. An act to repeal the first thirteen sections of chapter

50, of the revised code of 1843, so far as relates to the counties of Scott and Greene.

No. 147. An act to incorporate the Newport and Winchester Plank Road Company.

On motion by Mr. Johnston,

The House adjourned to meet to-morrow morning, 9 o'clock.

### WEDNESDAY MORNING, February 12, 1851.

House met.

On motion by Mr. Davis of Scott,

The reading of the journal was dispensed with.

On motion,

The order of business was suspended, and,

Mr. Willard, chairman of the committee on Ways and Means made the following report:

**MR. SPEAKER:**

The committee on Ways and Means have instructed me to report the following bill and respectfully recommend the passage thereof:

No. 481. A bill making specific appropriations for the year 1851;

Which was read a first and second times, the rule being suspended therefor.

Mr. Hammond moved to strike out the 31st section,

Which motion prevailed.

Mr. Johnston moved to amend by striking out "4" where it occurs and insert "3," and further amend by striking out "3" where it occurs and insert "2."

Mr. Nelson moved to amend the amendment by striking out "\$4" and inserting "\$3 50."

On motion by Mr. Davis of Scott,

The amendments and the amendment to the amendment were laid upon the table.

Mr. Hammond moved to strike out section 15;

Which motion prevailed.

Mr. Coburn moved to amend by inserting in the proper place

that Howard Whesle be allowed thirteen dollars and fifty cents for four days service in preparing the Hall of the House at the meeting of the present General Assembly.

Mr. Brown of Pike moved to amend the amendment by adding that Frederick Stucker be allowed thirteen dollars and fifty cents for four days service in preparing Hall, which was accepted by the mover.

The question then being on the adoption of the amendment,  
Was decided in the affirmative.

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and,

Mr. Willard, chairman of the committee on Ways and Means, made the following report:

**MR. SPEAKER:**

The committee of Ways and Means, to whom was referred Senate bill No. 266, have instructed me to report the same back and recommend its indefinite postponement.

Which was concurred in.

On motion,

Leave was granted Mr. Nelson to withdraw a petition of A. J. Leap, for a divorce, from the files of the House.

On motion by Mr. Willard,

The House went into Committee of the Whole, on No. 459, a bill to raise revenue for State purposes for 1851.

Mr. Hicks in the chair.

After spending some time in the consideration of the bill the committee arose and reported progress, through Mr. Hicks their chairman, to-wit:

**MR. SPEAKER:**

The Committee of the Whole House, to whom was referred bill of the House No. 459, a bill to raise revenue for State purposes, have instructed me to report that they have had the same under consideration, and report the same back without amendment, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

On motion,

The order of business was suspended, and,

On motion by Mr. Usher,

*Resolved*, That the clerk of this House have leave to deliver to the

Governor the correspondence, and other papers in relation to the Georgia Lands.

On motion by Mr. Willard,

No. 160. A bill for the more effectual assessment and valuation of the personal property, moneys, rights, credits, effects, and corporation stock, in the State of Indiana, was taken up.

Mr. Chapman moved to concur in the amendment of the Senate, with the following amendment:

Strike out of the proviso, the third specification, which requires the person assessed, to state the amount and probable value of debts outstanding.

Also, strike out of the same proviso all that relates to the oath, so far as the same applies to debts outstanding.

Mr. Hicks offered the following amendment to the amendment:

Amend by striking out the amendment to the amendment proposed.

Strike out of the amendment the words, "the practicable," where they occur, and insert the same words before the word amount.

Mr. Chapman moved to lay the amendment of Mr. Hicks on the table.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Benson, Bird, Blue, Bradley, Brown of Pike, Brown of Shelby, Carr, Caylor, Chapman, Clark, Conner, Cowan, Crim, Donaldson, Essex, Fleece, Goodman, Goodwin, Graff, Hamilton, Hammond, Hutchinson, Isom, Jackson, Jones, Lewis, Marvin, McCarty, McMakin, Millikan, Moore, Morrow, Nelson, Painter, Pancake, Patterson of Marshall, Phillips, Reynolds, Shook, Shull, Stayner, Thorn, Watt, Watts, and Withers—45.

*Those who voted in the negative were,*

Messrs. Armstrong, Bulla, Cox, Crawford, Davis of Dubois, Davis of Scott, Edwards, Franklin, Gentry, Harris, Harrison, Haywood, Hicks, Hosbrook, Houghman, Hubbard, Humphreys, Johnston, Jordan, Lawrence, Lindsey, Marquess, Marvin, Patterson of Tippecanoe, Peckenpauh, Rice, Riley, Robbins, Ross, Simler, Stone, Thompson of Carroll, Usher, Watson, Willard, Wittenmeyer, and Mr. Speaker—38.

So the amendment of Mr. Hicks was laid upon the table.

The question being on the adoption of Mr. Chapman's amendment,

Mr. Willard moved to lay Mr. Chapman's amendment on the table.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Bird, Brown of Shelby, Bulla, Cowan, Cox, Crawford, Crim, Davis of Dubois, Davis of Scott, Edwards, Fleece, Franklin, Gentry, Harris, Harrison, Haywood, Hicks, Hosbrook, Houghman, Hubbard, Johnston, Jones, Jordan, Lawrence, Lindsey, Marquess, McCarty, McMakin, Morgan, Nelson, Painter, Pancake, Patterson of Tippecanoe, Peckenpaugh, Rice, Riley, Robbins, Ross, Stayner, Stone, Thompson of Carroll, Usher, Watson, Willard, Withers, and Wittenmeyer—47

*Those who voted in the negative were,*

Messrs. Benson, Bradley, Brown of Pike, Carr, Caylor, Chapman, Clark, Coburn, Donaldson, Essex, Goodwin, Graff, Hamilton, Hammond, Humphreys, Hutchinson, Isom, Jackson, Marvin, Millikan, Moore, Morrow, Reynolds, Shook, Simler, Thorn, Watt, Watts, and Mr. Speaker—27.

So Mr. Chapman's amendment was laid upon the table.

Mr. Willard moved to concur in the amendment of the Senate, with the following amendment :

Strike out the word "probable," where it occurs, and place it before "amount:"

Which motion prevailed by unanimous consent of the House.

On motion,

The order of business was suspended, and,

Mr. Hicks, chairman of the committee on Benevolent and Scientific Institutions, made the following report :

MR. SPEAKER :

The committee on Benevolent and Scientific Institutions, to whom was referred the petition of James Latta and others, have had the same under consideration, and although fully convinced of the sound philosophy, pure theology, and sublime conceptions of the petitioners, are nevertheless unable to determine what they are driving at. The committee have, therefore, directed me to report the petition back to the House and ask to be discharged from its further consideration.

Which was concurred in.

On motion by Mr. Willard,

No. 459. A bill to raise revenue for the year 1851 ;

Was taken from the table.

Mr. Willard moved to amend by striking out of the 2d section, all after the words "to-wit," to the words, the "sum of one cent ;"

Which motion prevailed.

Mr. Watts moved to amend the first section, by striking out "25 cents," and inserting "20 cents ;"

Which motion did not prevail.

On motion by Mr. Hammond,

The first section was amended by striking out 75 cents and inserting 50 cents.

On motion,

The rule was suspended, the bill read a third time, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

Mr. Graff from the joint select committee on the Affairs of the Hospital for the Insane, made the following report :

MR. PRESIDENT:

The joint committee, appointed to investigate charges against the Superintendent and officers of the "Indiana Hospital for the Insane," beg leave to submit their report :

The serious nature of the charges, coupled with the respectable character of the individual making them, induced the committee to institute a thorough investigation.

To effect this, they have examined patiently every witness within their reach, whose evidence could be supposed to develop or elucidate any facts necessary to enable them to arrive at a correct conclusion.

If charges against the Institution, of "Extravagance, Corruption and Cruelty to the Inmates" be true, the public have a right to know it, with a view to their correction ; if untrue, the standing of those implicated, no less than the credit of our State, demands a prompt exposition of the slanders.

The committee unite in expressing their conviction, from the evidence adduced, that the Board of Commissioners have, in the discharge of their official duties, been guided by a commendable zeal for the welfare of the Institution, and the benefit of the unfortunate class of society who constitute its inmates. During the erection or furnishing the building, no case has been presented leading even to the suspicion, that any member of the Board has directly or indirectly engaged with any of the contracts. A By-Law of the Institution requires that "no resident officer, attendant or assistant, shall be directly or indirectly, interested in the purchase of any article for the use of the Hospital." The committee have abundant evidence to convince them that instructions in accordance with the spirit of this law, have been repeatedly delivered to the Steward. If any violation did occur, it was in the fact adduced on this investigation, that an account of an inconsiderable amount for articles of supplies was made by the Steward, and settled by the Board, (but not with--

out a remark of its impropriety) with a mercantile house of this city, one member of which firm is likewise a member of the Board of Commissioners. This was done by the Steward without instructions to do so, and because he alleged he could procure these articles at a lower price and better quality than elsewhere.

The charge of extravagance in the purchase of the carriage alluded to, the committee are of opinion is unfounded, and they would report the selection as entirely proper and economical under the circumstances. Their examinations in relation to alleged abuses of patients extended back to the earliest period of the existence of the Institution. Facts were elicited clearly, proving to all, that instances of severity of treatment towards inmates had occurred, and their frequency at the early period of its history, resulted from the want of a sufficient number of attendants present, their inexperience and the fact that every class and grade of patients were then crowded together in the same ward.

No case was proved to have been so treated under the eye of the Superintendent, without receiving his prompt and unqualified disapprobation; nor could we learn of an instance of any abuse perpetrated by attendants, coming to his knowledge without meeting from him with severe rebuke. Another cause of the more frequent occurrence of these abuses at that period was attributable to the fact proved, that the subordinates (in the neglect of their duty,) failed to report the same to the Superintendent, who we are well assured was ignorant of their occurrence, until developed in an examination held before the Board of Commissioners in the fall of 1849.

*Since that time, a period of seventeen months, not a single case of abuse or maltreatment is even alleged to have occurred,* if we except the case of the individual who lost his eye. If for this, any blame be attached to Doctor Patterson, it can be but an error of judgment, to justify which, it may be said he was following a practice pursued under like circumstances in other institutions. The unfortunate sequel was no less the result of accident, than the favorable condition of the patient at the time to the development of that inflammation which destroyed his eye. Added to this the patient himself introduced into the already highly inflamed organ, lime, sand and like irritants calculated to effect its destruction, and at the same time violently opposed the application of proper remedial means for its relief. The evidence moreover shows clearly that neither the patient himself, or any of his friends, attached any blame to the Superintendent for any intentional injury. This is the only case among those alleged in which even the most trifling injury was inflicted.

Without an exception, the testimony of every one proves that the demeanor and conduct of the Superintendent, Dr. Patterson, has been universally kind, courteous and polite. The manner in which the duties of Assistant Physician, Matron and Steward [are discharged,] is worthy of all praise and commendation. Kindness to

patients and watchful carefulness are strenuously enjoined on and observed by the attendants.

The committee, in the discharge of the duty assigned them, visited the Hospital, and were fully admitted into and inspected every portion of the building. From a thorough examination, they report that the order, cleanliness and apparent comfort of every part calls forth their warmest approbation.

Among the charges was an implied censure of the course of treatment of the patients by the Superintendent. The committee would reply by saying, that they are assured the selection of Doctor Patterson was made by the Board solely from the recommendations of competent persons abroad, and as a proof of the wisdom of their choice, they simply state the fact that the proportions of cures in this Institution has been really greater, in comparison with the admissions, than in any asylum in the country.

Nor will the committee close without giving expression to an assurance to every citizen of Indiana who may now have, or may hereafter commit, a friend to the care of the Institution, that with its present officers, and under its recent organization, they have a guaranty of the utmost kindness for their comfort, and correct treatment for their relief.

And the joint committee ask, respectfully, to be discharged from any further consideration of the subject.

JAMES S. ATHON, *Chairman*.  
GEO. B. GRAFF,  
N. EDDY,  
JOHN HUNT,  
BENJAMIN HENTON,  
W. G. MONTGOMERY,  
ROBERT H. CRAWFORD,  
ELI LEWIS,  
I. HUTCHINSON.

INDIANAPOLIS, Feb. 13, 1851.

On motion,

Leave was granted Mr. Millikan to withdraw the petition concerning the Northern Mississippi and Ohio Railroad Company from the files of the House.

On motion,

The order of business was suspended, and  
Mr. Morrow presented two temperance memorials ;  
Which,

On motion,

Were referred to the committee on Temperance.

On motion,

The order of business was suspended, and  
Mr. Coburn, from a select committee, made the following report :



MR. SPEAKER:

The committee to whom was referred so much of the Governor's message as relates to the northern division of the Central canal, have had under consideration the petition of John Burke and Peter W. Koontz, and have directed me to report that it is inexpedient to legislate upon the subject.

Which was concurred in.

Mr. Bradley moved to reconsider the vote on the indefinite postponement of No. 266, a joint resolution in relation to the interest of the State in the Madison and Indianapolis Railroad;

Which motion did not prevail.

#### REPORTS FROM COMMITTEES.

Mr. Crawford, from a select committee, made the following report:

MR. SPEAKER:

The committee to whom was referred so much of the Governor's message as relates to canals and internal improvements, have had the same under consideration, and believe that further legislation on the subject at present unnecessary, and ask to be discharged from the further consideration of the subject.

Which was concurred in.

#### ORDERS OF THE DAY.

A message from the Senate by Senator Ellis:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof:

No. 303. An act in relation to the leveeing and draining the land in the Lower prairie below Vincennes, in Knox county.

In which the concurrence of the House is respectfully requested.

The bill was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representa-

sives that the Senate has passed the following engrossed bill of the House, with sundry amendments:

No. 433. An act to amend the charter of the Evansville and Illinois Railroad Company.

In which amendments the concurrence of the House is respectfully requested.

The amendments of the Senate to bill No. 433, contained above, were concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof:

No. 243. An act to amend an act entitled an act to incorporate the Decatur, Portland, and Winchester Plank Road Company.

In which the concurrence of the House is respectfully requested.

Bill No. 243, contained above, was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Wiastandley:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House, with sundry amendments:

No. 285. An act to incorporate the New Albany and Vincennes Plank Road Company.

In which amendments the concurrence of the House is respectfully requested.

The amendments of the Senate to bill No. 285, contained above, were concurred in.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

Mr. Chapman, chairman of the committee on the Judiciary, made the following report:

MR. SPEAKER:

The committee on the Judiciary, to whom was referred bill of the Senate, No. 247, have had the same under consideration, and have instructed me to report the same back to the House and ask the passage thereof.

On motion,

The rule was suspended, the bill read a third time and passed.  
Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

Mr. Chapman, chairman of the committee on the Judiciary, made the following report :

MR. SPEAKER:

The committee on the Judiciary, to whom was referred bill No. 207, have had the same under consideration, and instructed me to report the same back and recommend that the same be laid on the table.

Which was concurred in.

The question being on recommitting bill No. 398, a bill to more effectually prevent the sale of spiritous liquors, with the instructions of Mr. Goodwin,

Was decided in the affirmative.

No. 431. A bill to authorize the Auditor, Treasurer, and Secretary of State to lease the building on the Governor's circle;

Was read a third time.

The question being on the passage of the bill,

Was decided in the negative.

No. 436. A bill to incorporate the Orleans, Paoli, and Cannelton Railroad Company;

Was read a third time.

The question then being, Shall the bill pass?

Was decided in the negative.

On motion,

The order of business was suspended.

On motion by Mr. Hicks,

*Resolved*, That two thousand copies of the report of the joint committee on the subject of the Indiana Hospital for the Insane, be ordered to be printed, and the respective share of each member shall be distributed at the same time and manner as the journals and laws are delivered.

No. 242. A bill for the relief of Ebenezer F. Lucas;

Was read a third time.

On motion by Mr. Goodwin,

The bill was indefinitely postponed.

No. 472. A bill to incorporate the Fort Wayne and Lafayette Railroad Company;

Was read a third time, and,

On motion by Mr. Johnston,

Laid on the table.

## SENATE BILLS ON THIRD READING.

No. 107. A bill authorizing licensed merchants to vend clocks;  
Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 150. A bill providing for the location of a State road from  
Troy, in Perry county, to Spencer, in Owen county, in this State;  
Was read a third time.

On motion,

The following amendment was adopted by unanimous consent:

Strike out the name of Crisp, and insert the names of Andrew  
B. Mills, of Owen county, and George Ferguson, of Greene county.  
The bill passed.

Ordered that the Clerk inform the Senate thereof.

No. 249. A preamble and act relative to vending spiritous  
liquors in Green township, in Hancock county;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Willard,

The vote whereby No. 436, a bill to incorporate the Paoli and  
Cannelton Railroad Company was lost, was reconsidered.

The question being, Shall the bill pass?

Was decided in the affirmative.

Ordered that the Clerk inform the Sena'e thereof.

No. 154. A bill authorizing county auditors to administer oaths  
in certain cases therein specified.

No. 223. A bill to authorize certain school districts in Adams  
county to draw their proportion of the common school fund;

Were each read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

No. 232. A bill to amend the common school law;

Was read a third time and did *not* pass.

No. 254. A bill to incorporate the Aurora and Hartford Turn-  
pike Company.

No. 271. A bill to amend an act entitled an act to incorporate  
the city of Richmond, Wayne county, Indiana, approved February  
24, 1840:

Were read each a third time and passed.

Ordered that the clerk inform the Senate thereof.

## HOUSE BILLS ON SECOND READING.

No. 470. A bill to incorporate the town of Milford, in Decatur  
county;

Was read a second and third times, the rule being suspended  
therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

No. 475. A bill for the relief of Philo Hayes, of the county of Daviess;

Was read a second time, and,

On motion by Mr. Johnston,

Laid on the table.

No. 476. A bill for the relief of Jesse Rader, of the county of Monroe;

Was read a second time, and,

On motion by Mr. Patterson of Tippecanoe,

The bill was indefinitely postponed.

No. 477. A bill to amend the charter of the Central Plank Road Company.

No. 479. A bill relative to the practice of the law in Marion county.

Were each read a second and third times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Davis of Scott,

Messages from the Senate were taken up.

A message from the Senate, by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill thereof:

No. 289. An act in relation to common school examiners,

In which the concurrence of the House is respectfully requested.

Bill No. 289, contained above,

Was read a first time, and passed to a second reading.

A message from the Senate, by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills thereof:

No. 288. An act to authorize the erection of a mill dam across the Wabash river in Cass county, Indiana.

No. 300. An act to incorporate the Vincennes and Orleans Plank Road Company.

In which the concurrence of the House is respectfully requested.

Bills Nos. 288 and 300, contained in the above message,

Were each read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate refuse to concur in the engrossed amendment of the House to engrossed bill of the Senate,

No. 172. An act to apportion Senators and Representatives for the next five years.

Mr. Franklin moved that the House insist on its amendment to bill No. 172, contained above.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Bird, Bradley, Brown of Pike, Caylor, Chapman, Cox, Crawford, Davis of Dubois, Donaldson, Essex, Franklin, Gentry, Graff, Hall, Hamilton, Harrison, Haywood, Humphreys, Hutchinson, Jackson, Marquess, Millikan, Moore, Morrow, Nelson, Painter, Patterson of Marshall, Phillips, Reynolds, Rice, Riley, Thompson of Carroll, Thorn, Usher, Watson, Watt, Watts, Willard, Withers, and Wittenmeyer—41.

*Those who voted in the negative were,*

Messrs. Armstrong, Brown of Shelby, Bulla, Carr, Clark, Coburn, Conner, Cowan, Crim, Edwards, Fleece, Goodman, Harris, Hicks, Hosbrook, Houghman, Hubbard, Isom, Johnston, Jones, Jordan, Lawrence, Marvin, McCarty, McKim, McMakin, Pancake, Patterson of Tippecanoe, Peckenpaugh, Robbins, Ross, Shook, Simler, and Stayner—35.

So the House insisted upon its amendment.

Ordered that the Clerk inform the Senate thereof.

#### SENATE BILLS ON SECOND READING.

No. 166. A bill to incorporate the Indiana Monumental Association,

Was read a second time, and

On motion by Mr. Chapman,

Laid on the table.

No. 255. A bill to incorporate the Liberty and Centreville Railroad Company,

Was read a second time, and

On motion by Mr. Chapman,

Laid on the table.

No. 262. A bill to legalize certain acts of county Auditors.

No. 282. A bill to provide for the payment of the debts and liabilities of the Hagerstown Canal Company,

Were each read a second time, and ordered to a third reading.

Mr. Hosbrook moved to suspend the rule, and read the bill a third time.

Which motion did not prevail.

No. 292. A bill for the relief of the estate of John Reiley, late of Martin county, deceased,

Was read a second time and ordered to a third reading.

No. 297. A bill to amend the practice in transitory actions,

Was read a second time, and

On motion by Mr. Chapman,

Indefinitely postponed.

On motion,

The order of business was suspended, and

On motion by Mr. McMakin,

*Resolved unanimously*, That the thanks of this House be, and the same are hereby tendered to the Hon. Jephtha Garrigus for the dignified and prompt manner in which he has discharged the duties of Door-keeper at the present session.

On motion by Mr. Thorn,

The vote on the passage of Senate bill No. 35, a bill for the relief of the widow and heirs of Alexander LeRoy, deceased, was reconsidered.

Mr. Thorn offered the following amendment:

Insert at the proper place the following:

*Provided, however*, That this act shall not interfere with the rights of creditors against the estate of Alexander LeRoy, deceased; they shall have full power to enforce their claims against the estate of said Alexander LeRoy, deceased, in as full and complete a manner as if this act had not passed.

Which was adopted by unanimous consent.

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Chapman,

The resolution in regard to the Madison Courier was taken from the table.

The question then being on the adoption of the resolution,

Was decided in the affirmative.

A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representa-

tives that the Senate has passed the following engrossed bill of the House with sundry amendments:

No. 440. An act to amend an act entitled an act for the call of a Convention of the people of Indiana to revise, amend, or alter the Constitution of said State.

In which amendments the concurrence of the House is respectfully requested.

On motion by Mr. Willard,

The amendments of the Senate to bill No. 440, contained in the foregoing message, were concurred in.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Millikan,

The House adjourned until two o'clock, P. M.

2 o'clock, P. M.

The House met.

On motion,

The order of business was suspended.

On motion by Mr. Willard,

*Resolved*, That in the opinion of this House, the Assistant Clerks are its elected officers, and are therefore entitled to a copy of the Debates of the Constitutional Convention, and the Secretary of said convention is respectfully requested to deliver a copy of the same to them.

On motion by Mr. Bird,

The vote on laying bill No. 472, a bill to incorporate the Fort Wayne and Lafayette Railroad Company, on the table, was reconsidered.

Mr. Edwards moved to lay the bill upon the table.

Which motion did not prevail.

Mr. Edwards moved that the bill be indefinitely postponed.

Which motion did not prevail.

On motion by Mr. Chapman,

A call of the House was ordered.

On motion,

Messrs. Lank and Marshall were excused, on account of sickness.

On motion,

Leave of absence was granted Messrs. Peckenpaugh, Goodwin, Elkins, Mercer, Pratt, Nelson, and Walls.



On motion,

A further call of the House was dispensed with.

On motion by Mr. Willard,

The bill under consideration was laid on the table.

On motion by Mr. Willard,

A message from the Senate was taken up.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate adhere to their disagreement to engrossed amendment of the House to engrossed bill of the Senate :

No. 172. An act to apportion Senators and Representatives for the next five years.

Mr. Willard moved to recede from the amendments of the House, The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Armstrong, Blue, Brown of Pike, Brown of Shelby, Bulla, Carr, Caylor, Chapman, Clark, Cowan, Crawford, Crim, Davis of Dubois, Davis of Scott, Fleece, Gentry, Goodwin, Hall, Hamilton, Harris, Harrison, Haywood, Hicks, Hosbrook, Hubbard, Hutchinson, Isom, Johnston, Jordan, Lawrence, Lindsey, Marquess, Marvin, McCarty, McKim, McMakin, Morgan, Painter, Pancake, Patterson of Tippecanoe, Reynolds, Rice, Riley, Shook, Simler, Stayner, Watson, Watts, Willard, Williamson, Withers, and Mr. Speaker--52.

*Those who voted in the negative were,*

Messrs. Bird, Bradley, Conner, Cox, Donaldson, Edwards, Essex, Franklin, Graff, Houghman, Humphreys, Jackson, Jones, Lewis, Millikan, Moore, Morrow, Nelson, Patterson of Marshall, Phillips, Robbins, Ross, Stone, Thompson of Carroll, Thorn, Usher, Watt, and Wittenmeyer--28.

So the House receded.

On motion by Mr. Willard,

No. 472 was taken from the table,

Mr. Usher moved to indefinitely postpone the bill.

The ayes and noes being demanded by two members,

*Those who voted in the affirmative were,*

Messrs. Blue, Bradley, Brown of Pike, Bulla, Carr, Clark, Conner, Cowan, Cox, Crawford, Crim, Davis of Dubois, Davis of Scott, Ed-

wards, Essex, Franklin, Gentry, Goodwin, Hall, Haywood, Hosbrook, Hubbard, Humphreys, Isom, Johnston, Jones, Jordan, Lawrence, Lewis, Lindsey, Marvin, McCarty, McKim, Millikan, Moore, Morgan, Morrow, Nelson, Painter, Pancake, Rice, Riley, Robbins, Ro-s, Shook, Stayner, Thorn, Usher, Walls, Watson, Watt, Williamson, Withers, Wittenmeyer, and Mr. Speaker—54.

*Those who voted in the negative were,*

Messrs. Armstrong, Bird, Caylor, Coburn, Donaldson, Fleece, Graff, Harris, Harrison, Hicks, Houghman, Jackson, Marquess, McMakin, Patterson of Marshall, Patterson of Tippecanoe, Phillips, Reynolds, Simler, Stone, Thompson of Carroll, Watts, and Willard—23.

So the bill was indefinitely postponed.

A message from the Senate, by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendments of the House to engrossed bill of the Senate, with one amendment:

No. 220. An act to authorize the extension of the Knightstown and Shelbyville Railroad;

In which amendment the concurrence of the House is respectfully requested.

Which were concurred in.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Nelson,

Senate bill

No. 290. A bill to authorize the city of Lafayette to subscribe to the stock of the Lafayette and Indianapolis Railroad Company,

Was taken from the table.

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills thereof:

No. 100. An act authorizing the taking of newspapers for the State Library;

No. 302. An act to incorporate the Covington, Newtown, and Lafayette Plank Road Company;

In which the concurrence of the House is respectfully requested.

On motion by Mr. Humphreys,  
No. 100, in the message, was rejected by the House.

Mr. Conner moved to reconsider the vote on the adoption of the following resolution :

*Resolved, unanimously,* That the thanks of this House are due, and are hereby tendered to Wm. R. Bowes, Principal Clerk, and Charles M. Shook, Assistant Clerk, and their assistants, for the correct, faithful, and impartial manner in which they have discharged their duties as Clerks in the House of Representatives at the present session.

Which motion prevailed.

Mr. Conner moved to amend by adding the names in full of the Assistant Clerks, to-wit :

Andrew J. Boone, Wm. W. Tuley, Samuel S. Crow, James B. Cameron, and A. M. Pettengill.

Which was unanimously adopted.

The question being on the adoption of the resolution,  
Was decided in the affirmative.

On motion,

Leave was granted Mr. Wittenmeyer to withdraw from the files of the House a petition.

On motion,

Leave was granted Mr. Gentry to withdraw a petition from the files of the House.

No. 302, in the message, was read a first time and passed to a second reading.

On motion by Mr. Hicks,

Senate bill

No. 207. A bill to amend article 5, of chapter 48, of the Revised Statutes of 1843, in relation to the writ of ad quod damnum,  
Was taken from the table.

On motion by Mr. Hicks,

The rule was suspended and the bill read a third time and passed.  
Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

#### SENATE BILLS ON THIRD READING.

No. 262. A bill to legalize certain acts of county Auditor,  
Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

No. 282. A bill to provide for the payment of the debts and liabilities of the Hagerstown Canal Company,  
Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

No. 302. A bill to incorporate the Covington, Newtown, and Lafayette Plank Road Company,

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

No. 292. A bill for the relief of the estate of John Riley, late of Martin county, deceased;

Was read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Gentry,

The vote on the indefinite postponement of No. 84, a bill authorizing the election of township assessors in the counties of Daviess and Martin, was reconsidered.

The question being on the indefinite postponement of the bill,  
Was decided in the negative.

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

On motion by Mr. Brown of Shelby,

*Resolved*, That when this House adjourn it will adjourn to meet at 7 o'clock this evening.

On motion by Mr. Goodwin,

The vote on the indefinite postponement of bill No. 167, was reconsidered.

The question then recurring on the indefinite postponement of the bill was decided in the affirmative.

Mr. Davis of Scott moved that the House adjourn,

Which motion did not prevail.

On motion by Mr. Jackson,

The vote on the indefinite postponement of bill No. 89, a bill to enable John Warren to file a bill in chancery in the Tipton circuit court;

Was reconsidered.

The question then recurring on the indefinite postponement of the bill;

Was decided in the affirmative.

On motion,

The rule was suspended, the bill read a third time and passed.

Ordered that the Clerk inform the Senate thereof.

On motion,

Leave was given Mr. Ross, from the committee on the State Library to return the report of the State Librarian to the House.

Mr. Graff moved to reconsider the vote on which bill No. 178 was lost upon its passage.

On motion by Mr. Coburn,

A call of the House was ordered.

Mr. Edwards asked leave to withdraw from the files of the House two petitions of citizens of the county of Vigo, on the subject of the school law, in said county.

Which was granted.

A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendment of the House to engrossed amendment of the Senate, to engrossed bill of the House,

No. 160. An act for the more effectual assessment and valuation of the personal property, moneys, rights, credits, effects, and corporation stocks, in the State of Indiana.

A message from the Senate by Mr. Emerson their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendments of the House to the following engrossed bills of the Senate :

No. 29. An act to amend an act entitled an act to incorporate the Ohio and Mississippi Railroad Company, passed Feb. 14, 1848.

No. 149. An act for the encouragement of agriculture.

No. 161. An act to provide for the incorporation of subordinate lodges of the Independent Order of Odd Fellows.

No. 177. An act authorizing the Western Plank Road Company to issue and sell bonds.

No. 182. An act to organize a court of common pleas, in the county of Jefferson.

No. 197. An act to repeal an act therein named.

No. 281. An act to re-locate the seat of Justice for Fountain county.

No. 285. An act to incorporate the Widows' and Orphans' Asylum of Indianapolis.

A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have receded from their disagreement to the engrossed amendment of the House to engrossed bill of the Senate, No. 65, and have concurred in said amendment.

No. 65. An act to incorporate the Sparta and Versailles Turnpike Company.

A message from the Senate by Mr. Hannah, a Senator :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House without amendment.

No. 351. An act for the relief of the assignees of J. & E. L. Beard.

A message from the Senate, by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives, that the Senate have concurred in the engrossed amendment of the House to engrossed bill of the Senate,

No. 265. A bill to incorporate the Central Canal Manufacturing Hydraulic and Water Works Company ;

A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House, without amendment :

No. 355. An act to attach the south half of section No. 5, in township 3, in range 8 east, to the county of Scott.

A message from the Senate, by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following engrossed bill of the House, without amendment :

No. 407. An act confirming the title of the Georgia Lands to Martin R. Green.

A message from the Senate, by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following House bills, without amendment :

No. 360. For the relief of the owners of lands mortgaged to the sinking fund ;

No. 423. An act to authorize the county commissioners of Pike county, to make an appropriation therein named ;

No. 425. An act to locate a State road in the counties of Tipton and Howard ;

No. 429. An act surrendering the right of way to Railroad Companies across swamp lands ;

No. 434. An act reducing the fees for taking acknowledgments of mortgages to the trust funds.

A message from the Senate, by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, without amendment :

No. 125. An act to enable persons sustaining damages occasioned by the construction of the Wabash and Erie Canal, to have their damages assessed without further delay, and for the more convenient service of process, on the trustees of said canal ;

No. 372. An act providing for the election of three school commissioners in township No. 12, of range No. 11 east, situated in the counties of Franklin, Rush, and Decatur ;

No. 393. An act to repeal a Plank Road law in Huntington and Whitley counties ;

No. 396. An act to create a school district in Marshall county ;

No. 399. An act for the relief Samuel Shimer and other purchasers of school lands in Randolph and Delaware counties ;

No. 401. An act to establish additional places of holding elections in certain counties therein named ;

No. 421. An act to incorporate the Aurora Hotel Company.

A message from the Governor, by Mr. Noel, Executive Messenger :

**MR. SPEAKER :**

I am directed by the Governor to inform the House of Representatives, that he has approved and signed the following bills :

No. 314. An act to change the time of holding the Circuit Courts in the thirteenth Judicial Circuit;

No. 141. An act to amend an act to incorporate the Logansport, Rochester, and Michigan Road Company, approved January 15, 1846;

No. 153. An act to amend an act entitled "an act to incorporate the Lake Michigan, Logansport, and Ohio River Railroad Company, enacted by the General Assembly, in February, 1848;

No. 245. An act to amend the General road law, approved January 16, 1849, so far as the same relates to the county of Cass;

No. 379. An act to legalize certain roads in Clinton county;

No. 204. An act to incorporate the Washington and Maysville Plank Road Company;

No. 135. An act to incorporate the Mullican Mill and Junction Plank or Clay Turnpike Road Company;

No. 12. An act to amend section 11, chapter 56, Revised Statutes of 1843, authorizing Coroners to pay the expenses of inquest and burial;

No. 180. An act to repeal a certain act therein named, so far as it relates to Grant county, and to revive certain other acts;

No. 216. An act to amend an act entitled "an act to increase and extend the benefits of common schools, approved January 16, 1849;"

No. 194. An act to locate a State road in Allen county;

No. 269. An act to incorporate the Madison Medical Society, at Madison, in Jefferson county;

No. 298. An act authorizing the administrator and widow of Josiah F. Oakes, deceased, to execute certain quit claim deeds;

No. 250. An act to authorize the inhabitants of school district No. 2, in township No. 36, range No. 3 west, in Laporte county, to levy an additional school tax;

No. 258. An act to extend the powers of the Board of Commissioners of Delaware county;

No. 340. An act to change the time of holding Probate Courts, in the county of Jasper;

No. 313. An act to authorize certain persons therein named, to erect a Toll Bridge across the west fork of White river, at or near the falls in Morgan county;

No. 213. An act to incorporate the Central Plank Road Company of Vanderburgh county, Indiana;

No. 215. An act to incorporate the town of Plymouth, Marshall county, Indiana;

No. 153. An act for the relief of Dempsey Linton;

No. 62. An act to abolish the office of Superintendent of the work on the State Prison, and for other purposes;

No. 308. An act to amend an act entitled "An act to prohibit the sale of spirituous liquors in Adams, Fall Creek, and Anderson townships, in Madison county, by a less quantity than thirty gallons, approved January 17, 1849;



No. 65. A joint resolution on the subject of appropriating money for the erection of a public building ;

No. 359. An act in relation to the county debt of Scott county, and authorizing the county Commissioners of said county, to borrow money for certain purposes ;

No. 124. An act to incorporate the Vanderburgh Manufacturing Company ;

No. 255. An act to incorporate a Fire Engine Company, at North Madison ;

No. 282. An act granting further powers to the township of Lawrenceburgh, in the county of Dearborn, in the State of Indiana ;

No. 387. An act entitled an act for the relief of John J. Cummins ;

No. 29. An act to repeal an act therein named ;

No. 259. An act to amend an act regulating the time of holding Probate Courts in the county of Tipton ;

No. 304. An act to incorporate the Montpelier and Metamoras Plank Road Company ;

No. 324. An act to authorize the electing a Supervisor for Laurel township, in Franklin county ;

No. 367. An act to repeal certain acts therein named, and for other purposes, in Allen county ;

No. 356. An act to incorporate the Bluffton Band ;

No. 270. An act for the relief of Thomas Decimus Franklin, Sophia Whitworth, William Whall, John Whall, and Robert Whall ;

No. 426. An act to change the name of the town of Portland, in Hancock county, to that of Cleveland, and to incorporate the same ;

No. 86. An act authorizing Cyrus Taber and Allen Hamilton, to build a dam across the Wabash river, in Cass county ;

No. 260. An act to incorporate a company to construct a Rail Road from Newburgh, on the Ohio river, to connect with the Evansville and Illinois Railroad ;

No. 275. An act to change a portion of a certain State road therein named, in the counties of Boone and Hamilton ;

No. 271. An act limiting the jurisdiction of the corporation of the town of South Bend, in the county of St. Joseph ;

No. 345. An act defining the duties of the Treasurer of Morgan county ;

No. 233. An act for the relief of the heirs of Blatner, late of Dearborn county, Indiana, but now deceased.

Mr. Jackson, from the committee on Engrossed Bills, made the following report :

MR. SPEAKER :

The committee on Engrossed Bills, have compared the following and find them to be correctly engrossed :

Nos. 207, 458, 464, 465, 467, 466, 158, 318, 437, 446, 432, 416, 365, 473, 474, 476, 478, 480, 460, 436, 242, and 431.

Mr. Shook, chairman of the committee on Enrolled Bills, made the following report :

MR. SPEAKER :

The committee on Enrolled Bills, have compared the following enrolled with the engrossed bills of the House, and find them correctly enrolled, to-wit :

Nos. 266, 408, 316, 375, 410, 404, 306, 446, 374, 274, 330, 278, 296, 301, 320, 350, 369, and 381.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Shook, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills, have compared the following and find them correctly enrolled :

Nos. 151, 173, 228, 261, 268, 279, 293, 351, 309, 358, 419, 418, 397, 389, 380, 352, 407.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

On motion,

The House adjourned to meet at 7 o'clock, P. M.

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7 o'clock, P. M.

The House met.

On motion,

The order of business was suspended ;

Mr. Watts, from a select committee, made the following report :

MR. SPEAKER :

The select committee to whom was referred bill of the Senate No.

143, an act incorporating a Gas Light Company in the city of Madison, have had the same under consideration, and have directed me to report the same back with the following amendments, and recommend its passage.

The bill was read three several times, the rule being suspended therefor, and passed.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Humphreys,  
Messages from the Senate were taken up.

A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House, with one amendment:

No. 384. An act to appraise the real estate of the State, and to make the value of the same equal and uniform throughout this State.

In which amendment the concurrence of the House is respectfully requested.

The House refused to concur in the amendment of the Senate to bill No. 384, contained in the foregoing message.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended.

Mr. Usher offered the following resolution:

*Resolved*, That the Senate be requested to return to this House, House bill No. 415,

Which was not adopted.

A message from the Senate by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House, with sundry amendments:

No. 481. An act making specific appropriations for the year 1851.

In which amendments the concurrence of the House is respectfully requested.

The amendments of the Senate to bill No. 481, contained above, Were concurred in.

Ordered that the Clerk inform the Senate thereof.

A mes sage from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House, with one amendment,

No. 468. An act to amend an act entitled an act to incorporate the Ohio, Indiana and Lake Michigan Railroad Company, approved January 17, 1849.

In which amendment the concurrence of the House is respectfully requested.

Which was concurred in.

Ordered that the Clerk inform the Senate thereof.

Mr. Willard moved to re-consider the vote on the adoption of the amendments of the Senate to No. 481 ;

Which motion prevailed.

On motion,

The House concurred in the amendments separately.

1st. Mr. Chapinan called a division of the question ;

The question being on striking out the 22d section,

Was decided in the negative.

2d. Amendment was concurred in.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

On motion by Mr. Brown of Shelby,

*Resolved*, That the Senate be requested to return to the House, House bill No. 477, instantler.

At the last adjournment the question was pending on the re-consideration of the vote indefinitely postponing

No. 178. A bill providing for a Topographical and Geological survey of the State.

The question being on the re-consideration of the vote,

Was decided in the negative.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate have concurred in the amendments of the House to engrossed bills of the Senate,

No. 35. An act for the relief of the Widow and heirs of Alexis Le Roy, deceased.

No. 150. An act providing for the location of a state road from Troy in Perry county, to Spencer, in Owen county, in this State.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, without amendment :

No. 207. An act regulating the license of traveling Peddlers in the county of Dearborn.

No. 458. An act authorizing the printing of the reports of the benevolent institutions therein named.

No. 459. An act to raise revenue for State purposes for 1851.

No. 460. An act to revive an act entitled an act to incorporate the Milton and Waterloo Turnpike Company.

No. 465. An act to equalize the price of swamp lands in the State of Indiana.

No. —. An act to prohibit the sale of intoxicating drinks in the county of Randolph.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following House bills without amendment :

No. 391. An act to extend the provisions of article I, chapter 42, Revised Statutes of 1843.

No. 421. An act for the relief of Peter Helphenstein, a purchaser of School Lands.

No. 449. An act to incorporate the Camden and Lockport Plank Road Company.

No. 450. An act to relocate the State Road between Paoli, in the county of Orange, and Troy, in the county of Perry.

No. 451. An act to authorize the County Surveyor of Miami county to re-survey the town of Mexico in said county.

No. 452. An act to incorporate the Philalethan Society of Hanover College.

No. 453. An act defining the powers of Justices of the Peace in Marion county.

No. 455. An act to regulate the sale of spirituous liquor in the county of Tippecanoe.

No. 457. An act to amend an act entitled an act to restrict the grand juries of the counties of Porter and Lake to a limited time in their sessions, and for other purposes, approved February 8, 1851.

No. 456. An act to amend the act entitled an act to incorporate the town of Troy, in Perry county, approved January 21, 1850.

No. 461. A joint resolution granting the freedom of the State Library to Captain Michael Fitzgibbon and John B. Dillon.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have passed the following engrossed bills of the House, without amendment :

No. 294. An act to repeal an act therein named.

No. 346. An act to authorize the commissioners of Wabash county to sell the surplus revenue bank stock.

No. 365. An act to amend an act entitled an act to authorize the transfer of cases pending in the Probate, to the Circuit, as far as relates to Putnam county, approved January 16, 1849, and for other purposes.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House, without amendment :

No. 89. An act to authorize John Warren to file a bill in chancery in the Tipton Circuit Court.

No. 416. An act in reference to proceedings upon *scire facias*.

No. 471. An act to restrict the Grand Jury in the county of Marshall to a time in their sessions.

No. 469. A joint resolution authorizing the distribution of the Journal of Debates of the late Constitutional Convention.

No. 473. An act supplemental to an act entitled an act to provide for the defraying the expenses of selecting the overflowed and swamp lands in the State of Indiana, and for other purposes, passed in February, 1851.

No. 474. An act to amend an act providing for the election of township assessors in the counties of Greene and Hamilton, approved January 18, 1850.

No. 478. An act relative to the taxation of costs in certain cases.

No. 470. An act to incorporate the town of Milford, Decatur county.

No. 480. An act to amend an act entitled an act to improve the roads in Centre township, in Dearborn county, approved January 18, 1847.

On motion,

Leave was granted Mr. Hicks to withdraw three petitions from the files of the House.

Mr. Coburn moved to reconsider the vote on the indefinite postponement of bill No. 297 ;

Which motion did not prevail.

Mr. Bird moved to reconsider the vote on concurring in the amendments of the Senate to bill of the House No. 468.

Which motion prevailed.

On motion by Mr. Bradley,

The amendments of the Senate were concurred in.

Ordered that the Clerk inform the Senate thereof.

On motion,

The order of business was suspended, and

Mr. Rice, from a select committee, the following report :

**MR. SPEAKER :**

The select committee to whom was referred a petition of sundry citizens of Orange county, praying the vacation of a certain State road, have had the same under consideration and directed me to report that, after examining all the evidence in the case, are of the opinion that it is inexpedient to legislate on that matter at this late hour of the session, as your committee are of the opinion that the petitioners can have ample justice before the county board of said county, and would respectfully ask to be discharged from further consideration of the subject.

Which was concurred in.

A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives, that the Senate have agreed to the resolution of the House, requesting the Senate to return House bill No. 477.

On motion by Mr. Chapman,

A vote on the passage of No. 477, a bill to amend an act passed January 16, 1846 ;

Was reconsidered.

On motion by Mr. Franklin,

The vote on the engrossment of the bill, was reconsidered.

On motion by Mr. Brown of Shelby,

The second section was stricken out.

Mr. Usher offered the following amendment :

**SEC. 2.** That the act of the company in graveling the road through the town of Plainfield is hereby legalized ;

No quorum voted.

On motion by Mr. Usher,

The bill was indefinitely postponed.

A message from the Senate by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives, that the Senate insist on their first amendment to engrossed bill of the House,

No. 481. An act making specific appropriations for the year 1851.

On motion,

The House receded from its disagreement to the amendment.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Bird,

The vote on the receding from the disagreement of the amendments of the Senate,

Were re-considered.

On motion,

The House adhered to its disagreement to the amendments of the Senate.

On motion by Mr. Willard,

A committee of free conference was appointed.

The Chair appointed Messrs. Bird and Willard that committee on the part of the House.

On motion,

The order of business was suspended.

On motion by Mr. Willard,

*Resolved*, That this House return its thanks to Mr. Lot Day of St. Joseph county, Addison F. Elkins of Shelby county, and G. W. Patterson of Perry county, and J. W. Johnson of Steuben county, and Daniel S. Rainley of Brown county, and James Edwards of Hancock county, and Jacob L. Payne of Monroe county, for their impartial and efficient services as assistant Door-keepers of this House.

A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representa-



tives that the Senate has passed House bill No. 479, with an amendment,

In which the concurrence of the House is respectfully requested.

The amendment of the Senate was concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives, that the Senate insist upon their second amendment to engrossed bill of the House,

No. 156. An act to amend an act entitled an act to incorporate the Ohio and Mississippi Railroad Company, approved January 15, 1849, so far as relates to the county of Daviess.

On motion by Mr. Goodwin,

The House adhered to its amendment.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Goodwin,

A committee of free conference was appointed on the part of the House.

Messrs. Goodwin and Stone were appointed said committee.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives, that the Senate have passed the following engrossed bill of the House, with one amendment.

No. 464. An act making general appropriations for the year 1851.

In which amendment the concurrence of the House is respectfully requested.

Which was concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary :

**MR. SPEAKER ;**

I am directed by the Senate to inform the House of Representa-

tives, that the Senate have receded from their amendment to engrossed bill of the House,

No. 384. An act to appraise the real estate of the State, and make the value of the same equal and uniform throughout the State.

A message from the Senate, by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendments of the House to engrossed bill of the Senate,

No. 143. An act to incorporate a Gas Light Company in the city of Madison.

A message from the Senate by Mr. Emerson, their Secretary ;

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate have concurred in the engrossed amendment of the Senate to engrossed bill of the House,

No. 468. An act to amend an act to incorporate the Ohio, Indiana and Lake Michigan Railroad Company, approved Jan. 17, 1847.

A Message from the Senate by Mr. Emerson, their Secretary.

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bills of the House, without amendment :

No. 403. A Joint Resolution for the relief of Captain William Waldo.

No. 406. An act to prevent Attorneys from doing the duties of Sheriff in Tippecanoe county.

Mr. Shook, chairman of the committee on enrolled bills, made the following report :

MR. SPEAKER :

The committee on enrolled bills have examined the following, and find them correctly enrolled :

Nos. 276, 303, 333, 355, 371, 377, 395, 400, 446, 411, 402, 388,

337, 188, 74, 257, 427, 253, 219, 338, 433, 459, 353, 174, 241, 311, 394, 377.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

On motion,

The House adjourned until to-morrow morning, 8½ o'clock.

## THURSDAY MORNING, February 13, 1851.

House met.

On motion by Mr. Ross,

The reading of the Journal was dispensed with.

On motion,

Leave was granted Mr. Harrison to withdraw from the files of the House certain petitions.

On motion,

Mr. Rice was placed on the committee of free conference on the disagreement between the two Houses on House bill No. 156, instead of Mr. Stone.

On motion by Mr. Willard,

The vote on the adoption of the resolution granting to the members of the Constitutional Convention Journals of the House of the present session, was reconsidered.

On motion,

The resolution was amended by adding in the proper place the words, "and officers."

The resolution was then adopted.

On motion by Mr. Davis of Scott,

*Resolved*, That each of the Assistant Clerks of this House be entitled to a copy of the general and local laws of the present session; also, a copy of the Journals.

Mr. Willard, from the committee on free conference, made the following report:

MR. SPEAKER:

The committee of free conference, to whom was referred the

disagreement of the two houses on the amendment of the Senate to bill No. 481, entitled an act making specific appropriations for the year 1851, have conferred together, and agree to allow J. W. Townsleys & Co. thirty-nine dollars and twenty-seven cents; also, amend section 24 so as to read, "ten dollars and fifty cents be allowed," &c., and ask that the House concur in said agreement.

Which was concurred in.

Mr. Willard, chairman of the committee on Ways and Means, made the following report :

MR. SPEAKER:

The committee of Ways and Means, whose duty it is to examine the books of the offices of the Auditor and Treasurer of State, and compare the books, vouchers, and warrants in said offices, prepare a statement of the receipts and expenditures at the Treasury; to examine the report of the Trustees of the Wabash and Erie Canal, and compare the vouchers and warrants with said report, and to examine into the financial affairs of the State generally, submit the following report:

The committee have made a thorough examination of the books of said officers, and found the vouchers of receipts at the treasury, and warrants on the treasury correctly audited and properly filed.

All warrants upon the treasury have been punctually paid when presented. The committee would remark that during their examinations, aforesaid, every facility was afforded them by the incumbents of those offices for a speedy and faithful discharge of their duty.

From the examination of the committee into the condition of the treasury, it appears that there was a deficiency in the treasury on the 31st day of October, 1850, of \$78,621 07. A statement of the receipts and expenditures showing said deficiency is herewith submitted as a part of this report, and marked statement A.

It became the duty of the committee to count, mutilate and destroy a considerable amount of scrip of various kinds, which had been redeemed at the treasury, and cancelled during the year. This duty they discharged, and now show the following abstract of the scrip so destroyed :

Of six per cent. Treasury Notes;

|                  |             |
|------------------|-------------|
| Principal, ..... | \$64,755 00 |
| Interest, .....  | 35,414 76   |

---

\$100,169 76

Of Bank Scrip, five per cent.;

|                  |             |
|------------------|-------------|
| Principal, ..... | \$72,335 00 |
| Interest, .....  | 27,142 18   |

---

\$99,477 18

|                                        |                    |
|----------------------------------------|--------------------|
| Of quarter per cent. Treasury Notes;   |                    |
| Principal,.....                        | \$3,400 00         |
| Interest,.....                         | 61 92              |
|                                        | <hr/>              |
|                                        | \$3,461 92         |
| Of Wabash and Erie Canal Scrip, east ; |                    |
| Principal,.....                        | \$13,000 27        |
| Interest,.....                         | 3,611 03           |
|                                        | <hr/>              |
|                                        | \$16,611 30        |
| Of Wabash and Erie Canal Scrip, west ; |                    |
| Principal, .....                       | <u>\$22,490 00</u> |

Making of State liabilities counted and destroyed by the committee, the sum of \$242,210 16.

The committee deem it necessary to suggest that in their opinion the present mode of assessing is very imperfect, and the duties devolving on the assessors are scarcely ever executed with that diligence, care and impartiality which the law and the people have a right to expect and demand. A large amount of the invisible wealth of the State has for years entirely escaped taxation, thereby making the burdens of taxation rest the heavier upon the farming interest. The valuation of the land is unjust and unequal. To remedy which, so far as the time of the committee, and pressure of the business of the session would allow, a bill has been drawn up and submitted to the House, for the more effectual, just and equal assessment of the personal property, and also another bill for the reappraisement of the real estate, and to make the value thereof equal and uniform throughout the State, has been presented.

The committee rejoice that they have it in their power to say to the country that both of those bills have received the approval of both branches of the General Assembly, and are now the laws of the land.

The committee are of the opinion that if the said laws are enforced, there will be added to the list of taxables in the State from fifty to seventy millions of property.

The committee, in view of the increased amount of taxable property that will be placed upon the tax list, have reduced the rate of taxes for State purposes proper to twenty-five cents on each one hundred dollars' worth in value of all property in the State, and a poll tax of fifty cents upon each poll.

Upon the recommendation of the Chairman of the committee on the Benevolent and Scientific Institutions, the committee have increased the tax for the Institute for the education of the Blind one half cent; and the bill to raise revenue for 1851 was reported accordingly to the House of Representatives.

To enable the people to understand the true condition of the for-

oreign State debt and the domestic State debt of Indiana, the committee submit the statement marked B, and made a part hereof.

In pursuance of the provisions of law, the committee have examined the report of the Trustees of the Wabash and Erie Canal, and compared the vouchers and warrants with the report, and submit the following report:

They find the vouchers to be correct, with the following exceptions: There are no vouchers for the last year's salary of Thomas H. Blake, the resident trustee on the part of the bondholders. The committee are of the opinion that he received the money as stated in the report, but died without filing the proper vouchers. The trustees obtained a credit for two hundred dollars for money paid to \_\_\_\_\_, when the voucher is only for one hundred dollars. The amount claimed in the report as money paid to \_\_\_\_\_ is \$—— more than the voucher is. It is presumed these mistakes are purely accidental.

The committee feel constrained, from a sense of duty, to express their decided and strong disapprobation of the loose and careless manner the trustees have adopted in paying out money. The only voucher that is produced for about one hundred and fifty thousand dollars, is the certificate of the clerk of the board of trustees, an officer appointed by the trustees, and responsible only to them.

The committee cannot regard his certificate in any other light than as the certificate of the trustees themselves.

When money is paid to superintendents or constructing agents, their voucher should be taken.

The statement herewith submitted and marked C, will fully exhibit the condition of the said canal.

In accordance with the suggestions of the Auditor of State, and in compliance with a resolution of the House, the committee have made such examination of the alleged over-issue of quarter per cent. treasury notes as their limited time and numerous duties would permit, and have concluded to submit the following statement of facts:

Under the provisions of an act approved January 31, 1842, page 152, general laws of 1842, the Auditor and Treasurer of State were authorized to prepare an amount of treasury notes bearing one quarter of one per cent. interest not exceeding five hundred thousand dollars, the object of which issue was the redemption of fifty dollar six per cents. The amount prepared for circulation in accordance with this act and receipted for by the Treasurer of State, George H. Dunn, Esq., was seventy thousand dollars, numbering from 1 to 14,000, and was receipted for by him as such treasurer receipts, No. 906, dated March 3, 1842, for \$50,000, and No. 1080, dated October 31, 1842, for \$20,000. In the report of the Treasurer of November 22, 1842, he mentions the receipt of the seventy thousand dollars, and states that he had used of these funds in the redemption of 50s, the sum of \$41,250, leaving in his hands the sum of \$28,750, which was kept in original packages, transferred by Mr. Dunn

to Mr. Mayhew, and by Mr. Mayhew to Mr. Hannah, and was finally destroyed by the committee of Ways and Means in January 1848.

The whole sum redeemed and destroyed of these treasury notes is as follows:

|                                      |             |
|--------------------------------------|-------------|
| In January, 1848, .....              | \$28,750 00 |
| In January, 1849, .....              | 31,565 00   |
| In January, 1850, .....              | 12,165 00   |
| Destroyed by present committee, .... | 3,361 92    |
| <hr/>                                |             |
| Making in all the sum of, .....      | \$75,941 92 |

or \$5,941 92 more than the amount reported as issued. The committee also find on examination of the register, that about the amount of this excess has been received of duplicate numbers, several of these duplicate bills were in the hands of the Treasurer, and all had every appearance of being genuine.

So long a time has elapsed since the issue of these notes and the transactions therewith connected, that the committee deem it impossible to throw any more light upon the subject, than simply to report a loss to the State of some six thousand dollars, in addition to the amount yet to be redeemed; but the committee have no means either of fixing the transaction, or a shadow of suspicion upon any particular individual.

### STATEMENT A.

#### A GENERAL STATEMENT OF THE RECEIPTS AND EXPENDITURES DURING THE FINANCIAL YEAR, 1850.

##### RECEIPTS.

Balance remaining in the treasury at the close of the last fiscal year, October 31, 1849, ..... \$428,941 19

The following sums were received during the financial year which closed October 31, 1850, to-wit:

##### REVENUE.

|                                                  |            |
|--------------------------------------------------|------------|
| On account of revenue of 1843, .....             | \$222 80   |
| On account of revenue of 1846, .....             | 557 61     |
| On account of revenue of 1847, .....             | 100 00     |
| On account of revenue of 1848, delinquent, ..... | 35,367 17  |
| On account of revenue of 1849, .....             | 415,114 59 |
| On account of revenue of 1850, .....             | 4,102 33   |
| On account of revenue of 1849, delinquent, ..... | 165 52     |

## UNIVERSITY FUND.

|                                               |          |
|-----------------------------------------------|----------|
| On account of loans refunded, .....           | 4,730 60 |
| On account of sales of land, principal, ..... | 129 61   |
| On account of sales of land, interest, .....  | 383 91   |
| On account of interest on loans, .....        | 4,230 92 |
| On account of advertising refunded, .....     | 2 00     |

## BANK TAX FUND.

|                                            |          |
|--------------------------------------------|----------|
| On account of loans refunded, .....        | \$395 00 |
| On account of interest on loans, .....     | 516 54   |
| On account of State Bank assessment, ..... | 1,073 65 |

## SURPLUS REVENUE FUND.

|                                        |          |
|----------------------------------------|----------|
| On account of loans refunded, .....    | 1,282 45 |
| On account of interest on loans, ..... | 515 39   |

## SALINE FUND.

|                                                       |          |
|-------------------------------------------------------|----------|
| On account of loans refunded, .....                   | 1,804 89 |
| On account of interest on loans, .....                | 1,488 83 |
| On account of damages on forfeited land, .....        | 19 00    |
| On account of sales of saline lands, principal, ..... | 1,375 08 |
| On account of sales of saline lands, interest, .....  | 311 65   |

## CONGRESSIONAL TOWNSHIP FUND.

|                                        |        |
|----------------------------------------|--------|
| On account of loads refunded, .....    | 73 00  |
| On account of interest on loans, ..... | 101 75 |

## TREASURY FUND.

|                                        |       |
|----------------------------------------|-------|
| On account of interest on loans, ..... | 35 46 |
|----------------------------------------|-------|

## COMMON SCHOOL FUND.

|                                            |             |
|--------------------------------------------|-------------|
| On account of profits of State Bank, ..... | \$55,863 00 |
|--------------------------------------------|-------------|



## INDIANAPOLIS LOTS.

|                                    |        |
|------------------------------------|--------|
| On account of sales of lots, ..... | 281 25 |
|------------------------------------|--------|

## HOSPITAL FOR THE INSANE.

|                                     |           |
|-------------------------------------|-----------|
| On account of sales of lots, .....  | 699 97    |
| On account of loan from Bank, ..... | 13,000 00 |

## DEAF AND DUMB ASYLUM.

|                                          |          |
|------------------------------------------|----------|
| On account of loan from Bank, .....      | 1,476 50 |
| Madison and Indianapolis Railroad, ..... | 1,129 50 |

## STATE'S PRISON.

|                                         |           |
|-----------------------------------------|-----------|
| On account of sale of old prison, ..... | 709 64    |
| On account of rent of prison, .....     | 10,433 28 |
| On account of fees refunded, .....      | 2 50      |

## NORTHERN DIVISION OF CENTRAL CANAL.

|                                  |          |
|----------------------------------|----------|
| On account of water rents, ..... | 2,165 74 |
|----------------------------------|----------|

## LAWRENCEBURGH AND INDIANAPOLIS RAILROAD.

|                                      |            |
|--------------------------------------|------------|
| On account of loan to company, ..... | \$2,061 99 |
|--------------------------------------|------------|

## NEW ALBANY AND VINCENNES ROAD.

|                            |             |
|----------------------------|-------------|
| On account of tolls, ..... | \$12,621 97 |
|----------------------------|-------------|

## ESTATES WITHOUT HEIRS.

|                                            |          |
|--------------------------------------------|----------|
| On account of estates without heirs, ..... | \$200 89 |
|--------------------------------------------|----------|

## REVISED STATUTES.

|                               |         |
|-------------------------------|---------|
| On account of sales of, ..... | \$65 55 |
|-------------------------------|---------|

## WABASH AND ERIE CANAL BY TRUSTEES.

|                                                                  |              |
|------------------------------------------------------------------|--------------|
| On account of tolls and water rents, . . . . .                   | \$252,473 01 |
| On account of subscription by bondholders, . . . . .             | 407,850 00   |
| On account of canal lands east and west of Tippecanoe, . . . . . | 56,635 32    |
| On account of canal lands, Vincennes district, . . . . .         | 75,422 56    |
| On account of interest and exchange, . . . . .                   | 25,114 81    |
| On account of error in disbursements, . . . . .                  | 553 00       |
| On account of Canal Scrip west of Tippecanoe, . . . . .          | 22,490 00    |
| On account of Canal Scrip east, principal, . . . . .             | 12,999 88    |
| On account of Canal Scrip east, interest, . . . . .              | 3,611 03     |

## MISCELLANEOUS.

|                                                   |          |
|---------------------------------------------------|----------|
| On account of public printing refunded, . . . . . | \$216 00 |
| On account of miscellaneous items, . . . . .      | 100 67   |
| On account of suspended debt, . . . . .           | 50 00    |
| On account of insurance tax, . . . . .            | 116 00   |

|                                                                                         |                       |
|-----------------------------------------------------------------------------------------|-----------------------|
| Total amount of receipts from Nov. 1st, 1849, to<br>Oct. 31, 1850, inclusive, . . . . . | \$1,432,442 78        |
| Add balance in Treasury Nov. 1, 1849, . . . . .                                         | 428,941 19            |
| Grand total of receipts, . . . . .                                                      | <u>\$1,861,383 97</u> |

## EXPENDITURES.

There were credited during the financial year ending October 31st, 1850, the following sums, to-wit :

## ORDINARY EXPENSES.

|                                                             |            |
|-------------------------------------------------------------|------------|
| On account of Probate Judges, . . . . .                     | \$4,795 00 |
| On account of Supreme and Circuit Judges, . . . . .         | 14,910 81  |
| On account of State House, . . . . .                        | 588 71     |
| On account of specific appropriations, . . . . .            | 3,114 29   |
| On account of public printing, paper and binding, . . . . . | 11,522 49  |
| On account of Legislative expenses, . . . . .               | 31,010 64  |
| On account of State Library, . . . . .                      | 964 81     |
| On account of the Militia, . . . . .                        | 539 17     |
| On account of stationery and fuel, . . . . .                | 2,453 13   |
| On account of Contingent Fund, to-wit :                     |            |
| To Jas. Hughes, attorney in the McGinley case, \$400 00     |            |

## To Walpole &amp; Quarles, attorneys in the Mc-

|                                                     |          |            |
|-----------------------------------------------------|----------|------------|
| Ginley case, .....                                  | 400 00   |            |
| To Samuel H. Buskirk, arbitrator, .....             | 105 75   |            |
| Transcript of McGinley case, .....                  | 95 50    |            |
| Postage account, .....                              | 272 38   |            |
| Sundry allowances by Gov. Wright, .....             | 491 67   |            |
|                                                     |          | <hr/>      |
|                                                     |          | \$1,765 30 |
| On account of Governor's Circle, .....              | 525 34   |            |
| On account of Governor's House, .....               | 1,309 56 |            |
| On account of Transportation of public arms, .....  | 79 75    |            |
| On account of State's Prison, .....                 | 3,606 63 |            |
| On account of distributing Laws and Jouruals, ..... | 551 54   |            |

## PUBLIC DEBT.

|                                                                                 |              |  |
|---------------------------------------------------------------------------------|--------------|--|
| On account of interest for January and July, .....                              | \$188,595 00 |  |
| On account of salary and expenses of agency to close<br>of Collins' term, ..... | 5,911 27     |  |
| On account of salary of agent, Col. May, .....                                  | 1,434 93     |  |
| On account of expenses of agency, .....                                         | 149 66       |  |

## TREASURY NOTES.

|                                                  |             |  |
|--------------------------------------------------|-------------|--|
| On account of five per cent. cancelled, .....    | \$46,410 00 |  |
| On account of interest on same, .....            | 16,150 68   |  |
| On account of six per cent. cancelled, .....     | 86,000 00   |  |
| On account of interest on same, .....            | 43,067 35   |  |
| On account of quarter per cent. cancelled, ..... | 12,165 00   |  |
| On account of interest on same, .....            | 202 75      |  |
| On account of incidental expenses of, .....      | 261 00      |  |

## UNIVERSITY FUND.

|                                                |             |  |
|------------------------------------------------|-------------|--|
| On account of Loans, .....                     | \$10,074 00 |  |
| On account of interest refunded, .....         | 28 00       |  |
| On account of damages on sales of lands, ..... | 278 14      |  |
| On account of expenses of fund, .....          | 252 25      |  |
| On account of professors' salaries, .....      | 3,700 00    |  |

## SALINE FUND.

|                                           |          |  |
|-------------------------------------------|----------|--|
| On account of damages, .....              | \$431 08 |  |
| On account of distribution of fund, ..... | 6,708 80 |  |

|                                            |        |
|--------------------------------------------|--------|
| On account of purchase of Bank Stock,..... | 550 00 |
| On account of expenses of fund,.....       | 75 65  |

**BANK TAX FUND.**

|                                          |            |
|------------------------------------------|------------|
| On account of distribution of fund,..... | \$3,583 18 |
| On account of damages,.....              | 41 78      |

**SURPLUS REVENUE FUND.**

|                                  |          |
|----------------------------------|----------|
| On account of loans,.....        | \$500 00 |
| On account of distribution,..... | 342 02   |

**CONGRESSIONAL TOWNSHIP FUND.**

|                                      |          |
|--------------------------------------|----------|
| On account of loans,.....            | \$253 34 |
| On account of fund distributed,..... | 57 30    |

**TREASURY FUND.**

|                                      |         |
|--------------------------------------|---------|
| On account of damages on loans,..... | \$28 64 |
|--------------------------------------|---------|

**CENTRAL CANAL, NORTHERN DIVISION.**

|                                         |            |
|-----------------------------------------|------------|
| On account of repairs,.....             | \$2,548 58 |
| On account of incidental expenses,..... | 1,005 56   |

**NEW ALBANY AND VINCENNES ROAD.**

|                                         |            |
|-----------------------------------------|------------|
| On account of construction,.....        | \$3,196 02 |
| On account of repairs,.....             | 6,193 61   |
| On account of contingent expenses,..... | 2,328 85   |
| On account of damages,.....             | 1 00       |

**MISCELLANEOUS.**

|                                                             |           |
|-------------------------------------------------------------|-----------|
| On account of estates without heirs,.....                   | \$292 81  |
| On account of new State's Prison,.....                      | 12,935 90 |
| On account of Madison and Indianapolis Railroad Stock,..... | 8,012 33  |
| On account of interest on State Bonds,.....                 | 75 00     |

|                                               |          |
|-----------------------------------------------|----------|
| On account of revenue refunded,.....          | 1,550 62 |
| On account of Constitutional Convention,..... | 1,014 48 |
| On account of W. and E. Canal,.....           | 613 50   |

## BENEVOLENT INSTITUTIONS.

|                                                     |             |
|-----------------------------------------------------|-------------|
| On account of Deaf and Dumb Asylum,.....            | \$27,979 92 |
| On account of Blind Asylum,.....                    | 11,781 09   |
| On account of Insane Hospital,.....                 | 32,501 33   |
| On account of Superintendent of Insane Hospital,... | 1,500 00    |

## JEFFERSONVILLE AND CRAWFORDSVILLE ROAD.

|                                         |           |
|-----------------------------------------|-----------|
| On account of construction,.....        | 16,000 00 |
| On account of incidental expenses,..... | 722 00    |

## WABASH AND ERIE CANAL BY TRUSTEES.

|                                                                        |            |
|------------------------------------------------------------------------|------------|
| On account of general expenses of trustees,.....                       | 28,675 65  |
| On account of expenses of land office, in the Vincennes district,..... | 1,662 24   |
| On account of land office east and west of Tippecanoe,.....            | 4,192 68   |
| On account of ordinary repairs,.....                                   | 54,871 74  |
| On account of extraordinary repairs,.....                              | 35,255 29  |
| On account of surveys and locating,.....                               | 20,396 48  |
| On account of construction, Coal Creek to Terre Haute,.....            | 75,634 38  |
| On account of construction, Terre Haute to Point Commerce,.....        | 184,213 07 |
| On account of construction from Point Commerce to Newberry,.....       | 120,209 87 |
| On account of construction from Newberry to Maysville,.....            | 71,550 25  |
| On account of construction south of Maysville,.....                    | 151,444 26 |
| On account of damages and water power,.....                            | 6,780 50   |
| On account of Superintendence,.....                                    | 9,149 17   |
| On account of expense of collection,.....                              | 7,542 50   |
| On account of interest to bondholders,.....                            | 53,409 68  |

## WABASH AND ERIE CANAL, SCRIP.

|                                                                                                         |                     |
|---------------------------------------------------------------------------------------------------------|---------------------|
| On account of incidental expenses, scrip east, . . . . .                                                | 45 00               |
| On account of incidental expenses, scrip west, . . . . .                                                | 27 00               |
| On account of scrip east, principal cancelled, . . . . .                                                | 25,453 01           |
| On account of scrip east, interest cancelled, . . . . .                                                 | 6,056 70            |
| On account of scrip west, cancelled, . . . . .                                                          | 15,845 00           |
| Whole amount audited during financial year 1850,<br>warrants No. 4154 to No. 5202, inclusive, . . . . . | <u>1,513,534 04</u> |

## RECAPITULATION.

|                                                     |                     |
|-----------------------------------------------------|---------------------|
| Balance in the treasury October 31, 1849, . . . . . | \$428,941 19        |
| Receipts for the year 1850, . . . . .               | 1,432,442 78        |
|                                                     | <u>1,861,383 97</u> |
| Deduct warrants as above, . . . . .                 | 1,513,534 04        |
|                                                     | <u>347,849 93</u>   |
| Balance in the treasury October 31, 1851, . . . . . |                     |

This however is but an apparent balance, there being really a small deficiency at the end of the financial year.

The receipts and expenditures of the Wabash and Erie Canal Trustees, under the act for the adjustment of the State debt, are semi-annually reported to the office of the Auditor of State, and the receipts credited and expenditures charged, in the general financial account, as if actually paid into the treasury. The account is rendered to the 1st October, 1850, at which time there was an excess of receipts to the credit of the trustees, amounting to \$194,910 09, and which is to be deducted from the balance stated above. The amount of treasury notes, and Wabash and Erie Canal scrip, in the treasury for cancellation, and the indebtedness of the State to the State Bank to meet the July interest and the expense of the Constitutional Convention, are also to be charged against the treasury.

The true condition of the treasury at the period named will be found not to vary materially from the following statement:

|                                                                                   |                   |
|-----------------------------------------------------------------------------------|-------------------|
| Balance in the treasury to credit of Wabash and Erie<br>Canal Trustees, . . . . . | \$194,910 09      |
| Treasury notes on hand for cancellation, . . . . .                                | 192,460 00        |
| Wabash and Erie Canal scrip for cancellation, . . . . .                           | 39,100 91         |
|                                                                                   | <u>426,471 00</u> |
| Total charges on treasury, . . . . .                                              | 426,471 00        |
| Deduct balance above stated; . . . . .                                            | 347,849 93        |

Leaving a deficiency in the treasury at the close of  
the fiscal year of about, . . . . . 78,621 07

## STATEMENT B.

## STATE DEBT.

## FOREIGN STATE DEBT.

|                                                                   |                     |
|-------------------------------------------------------------------|---------------------|
| Bonds issued for Internal Improvement System,.....                | \$8,900,000         |
| Bonds issued for Wabash and Erie Canal,.....                      | 1,727,000           |
| Bonds issued for State Bank of Indiana,.....                      | 2,413,000           |
| Bonds issued for 4th instalment Surplus Revenue,....              | 294,000             |
| Bonds issued for Madison and Indianapolis Railroad,.              | 456,000             |
| Bonds issued for Lawrenceburgh and Indianapolis<br>Railroad,..... | 221,000             |
| Bonds, 7 per cent., issued to pay interest on Bonds,...           | 1,100,000           |
| Making a total amount issued,.....                                | <u>\$15,111,000</u> |

## BONDS REDEEMED AND CANCELLED.

|                                                                                                          |                     |
|----------------------------------------------------------------------------------------------------------|---------------------|
| Surplus Revenue Bonds,.....                                                                              | 294,000             |
| Lawrenceburgh and Indianapolis Railroad Bonds,...                                                        | 189,000             |
| Internal Improvement Bonds,.....                                                                         | 426,000             |
| Irregular Bonds cancelled as not sold,.....                                                              | 700,000             |
| Total redeemed and cancelled,.....                                                                       | <u>\$1,609,900</u>  |
| Add for bonds on which the Bank pays interest and is<br>to redeem principal,.....                        | 1,390,000           |
| Add for 7 per cent. bonds issued but never sold,....                                                     | 1,064,000           |
| Making a total of,.....                                                                                  | <u>\$4,063,000</u>  |
| The whole amount issued as above, is,.....                                                               | <u>\$15,111,000</u> |
| Total amount of bonds outstanding prior to surrender,<br>under State debt arrangement with holders,..... | <u>\$11,048,000</u> |

## BONDS SURRENDERED.

*Wabash and Erie Canal Bonds.*

|                                                                                    |           |
|------------------------------------------------------------------------------------|-----------|
| 678 Bonds surrendered by <i>subscribers</i> prior to July<br>1st, 1847,.....       | \$678,000 |
| 277 Bonds surrendered by <i>non-subscribers</i> prior to Ju-<br>ly 1st, 1847,..... | 277,000   |
| 164 Bonds surrendered by <i>subscribers</i> to January 1st,<br>1848,.....          | 165,000   |

|                                                                            |                    |
|----------------------------------------------------------------------------|--------------------|
| 54 Bonds surrendered by <i>non-subscribers</i> to Jan. 1st, 1848, .....    | 54,000             |
| 41 Bonds surrendered by <i>non-subscribers</i> to July 1st, 1848, .....    | 41,000             |
| 8 Bonds surrendered by <i>non-subscribers</i> to July 1st, 1849, .....     | 8,000              |
| 3 Bonds surrendered by <i>non-subscribers</i> to February 4th, 1850, ..... | 3,000              |
| 24 Bonds surrendered by <i>non-subscribers</i> to August 5th, 1850, .....  | 24,000             |
| Total surrendered to August 5th, 1850, .....                               | <u>\$1,250,000</u> |

*Internal Improvement Bonds.*

|                                                                             |                    |
|-----------------------------------------------------------------------------|--------------------|
| 5662 Bonds surrendered by <i>subscribers</i> to July 1st, 1847, .....       | \$5,662,000        |
| 353 Bonds surrendered by <i>non-subscribers</i> to July 1st, 1847, .....    | 353,000            |
| 478 Bonds surrendered by <i>subscribers</i> to January 1st, 1848, .....     | 478,000            |
| 146 Bonds surrendered by <i>non-subscribers</i> to Jan. 1st, 1848, .....    | 146,000            |
| 45 Bonds surrendered by <i>non-subscribers</i> to July 1st, 1848, .....     | 45,000             |
| 118 Bonds surrendered by <i>non-subscribers</i> to July 1st, 1849, .....    | 118,000            |
| 92 Bonds surrendered by <i>non-subscribers</i> to February 4th, 1850, ..... | 92,000             |
| 79 Bonds surrendered by <i>non-subscribers</i> to August 5th, 1850, .....   | 79,000             |
| Total surrendered to August 5th, 1850, .....                                | <u>\$6,973,000</u> |

*Madison and Indianapolis Railroad Bonds.*

|                                                                           |         |
|---------------------------------------------------------------------------|---------|
| 300 Bonds surrendered by <i>subscribers</i> to July 1st, 1847, .....      | 300,000 |
| 28 Bonds surrendered by <i>non-subscribers</i> to July 1st, 1849, .....   | 28,000  |
| 16 Bonds surrendered by <i>subscribers</i> to January 1st, 1848, .....    | 16,000  |
| 2 Bonds surrendered by <i>non-subscribers</i> to January 1st, 1848, ..... | 2,000   |



|                                                                          |                  |
|--------------------------------------------------------------------------|------------------|
| 2 Bonds surrendered by <i>non-subscribers</i> to July 1st, 1848, .....   | 2,000            |
| 4 Bonds surrendered by <i>non-subscribers</i> to July 1st, 1849, .....   | 4,000            |
| 6 Bonds surrendered by <i>non-subscribers</i> to February 4, 1850, ..... | 6,000            |
| 7 Bonds surrendered by <i>non-subscribers</i> to August 5, 1850, .....   | 7,000            |
| Total surrendered to August 5, 1850, .....                               | <u>\$365,000</u> |

*Lawrenceburgh and Indianapolis Railroad Bonds.*

|                                                                          |                 |
|--------------------------------------------------------------------------|-----------------|
| 68 Bonds surrendered by <i>subscribers</i> to July 1st, 1847, .....      | \$68,000        |
| 3 Bonds surrendered by <i>subscribers</i> to Jan. 1st, 1848, .....       | 3,000           |
| 1 Bond surrendered by <i>non-subscribers</i> to January 1st, 1848, ..... | 1,000           |
| 4 Bonds surrendered by <i>non-subscribers</i> to July 1st, 1849, .....   | 4,000           |
| 4 Bonds surrendered by <i>non-subscribers</i> to August 5, 1850, .....   | 4,000           |
| Total surrendered to August 5, 1850, .....                               | <u>\$80,000</u> |

*State Bank Bonds.*

|                                                                         |                  |
|-------------------------------------------------------------------------|------------------|
| 719 Bonds surrendered by <i>subscribers</i> to July 1st, 1847, .....    | \$719,000        |
| 27 Bonds surrendered by <i>non-subscribers</i> to July 1st, 1847, ..... | 27,000           |
| 52 Bonds surrendered by <i>subscribers</i> to Jan. 1st, 1848, .....     | 52,000           |
| 8 Bonds surrendered by <i>non-subscribers</i> to Jan. 1st, 1848, .....  | 8,000            |
| 4 Bonds surrendered by <i>non-subscribers</i> to July 1st, 1848, .....  | 4,000            |
| 28 Bonds surrendered by <i>non-subscribers</i> to July 1st, 1849, ..... | 28,000           |
| 7 Bonds surrendered by <i>non-subscribers</i> to Feb. 4, 1850, .....    | 7,000            |
| 21 Bonds surrendered by <i>non-subscribers</i> to August 5, 1850, ..... | 21,000           |
| Total surrendered to August 5, 1850, .....                              | <u>\$866,000</u> |

*Seven per cent. Bonds issued to pay Interest.*

|                                                                        |                 |
|------------------------------------------------------------------------|-----------------|
| 18 Bonds surrendered by <i>subscribers</i> to July 1st, 1847,          | \$18,000        |
| 3 Bonds surrendered by <i>non-subscribers</i> to July 1st, 1847, ..... | 3,000           |
| 1 Bond surrendered by <i>non-subscriber</i> to Jan. 1st, 1848, .....   | 1,000           |
| 7 Bonds surrendered by <i>non-subscribers</i> to July 1st, 1848, ..... | 7,000           |
| Total surrendered to August 5, 1850, .....                             | <u>\$29,000</u> |

*Recapitulation.*

|                                                                                 |                    |
|---------------------------------------------------------------------------------|--------------------|
| Bonds outstanding at period of arrangement of State Debt, July 1st, 1847, ..... | \$11,048,000       |
| Amount surrendered up to August 5, 1850, .....                                  | 9,563,000          |
| Total outstanding August 5, 1850, .....                                         | <u>\$1,485,000</u> |

## STATE STOCKS.

*State Five Per Cent. Stock.*

The amount of half the principal of bonds surrendered chargeable to the State Treasury, for which 5 per cent. State Stock issued, is as follows, viz:

|                                                             |                    |
|-------------------------------------------------------------|--------------------|
| Stock to <i>subscribers</i> to July 1st, 1847, .....        | \$3,722,500        |
| Stock to <i>non-subscribers</i> to July 1st, 1847, .....    | 344,000            |
| Stock to <i>subscribers</i> to January 1st, 1848, .....     | 357,000            |
| Stock to <i>non-subscribers</i> to January 1st, 1848, ..... | 106,000            |
| Stock to <i>non-subscribers</i> to July 1st, 1848, .....    | 49,500             |
| Stock to <i>non-subscribers</i> to July 1st, 1849, .....    | 81,000             |
| Stock to <i>non-subscribers</i> to Feb. 4, 1850, .....      | 54,000             |
| Stock to <i>non-subscribers</i> to Aug. 5, 1850, .....      | 67,500             |
| Total 5 per cent. State Stock to August 5, 1850, ..         | <u>\$4,781,500</u> |

*Two and one-half Per Cent. State Stock.*

The amount of one-half the interest and one per cent. of the principal of the bonds surrendered chargeable to the State Treasury, for which State Stock issued with interest, at the rate of  $2\frac{1}{2}$  per cent., commencing in 1853, is as follows, viz:

|                                                                                                              |                |
|--------------------------------------------------------------------------------------------------------------|----------------|
| Stock to <i>subscribers</i> to July 1st, 1847, . . . . .                                                     | \$1,327,948 00 |
| Stock to <i>non-subscribers</i> to July 1st, 1847, . . . . .                                                 | 121,852 50     |
| Stock to <i>subscribers</i> to January 1st, 1848, . . . . .                                                  | 126,530 00     |
| Stock to <i>non-subscribers</i> to January 1st, 1848, . . . . .                                              | 38,337 00      |
| Stock to <i>non-subscribers</i> to July 1st, 1848, . . . . .                                                 | 18,675 00      |
| Stock to <i>subscribers</i> for one-half of coupons on bonds<br>surrendered to January 1st, 1848, . . . . .  | 7,950 00       |
| Stock to <i>non-subscribers</i> for one-half of coupons on<br>bonds surrendered to July 1st, 1848, . . . . . | 1,325 00       |
| Stock to <i>non-subscribers</i> for one-half of coupons on<br>Bonds surrendered to July 1st, 1849, . . . . . | 33,570 00      |
| Stock to <i>non-subscribers</i> to Feb. 4, 1850, . . . . .                                                   | 23,375 00      |
| Stock to <i>subscribers</i> for one-half of coupons on bonds<br>surrendered to Feb. 4, 1850, . . . . .       | 2,625 00       |
| Stock to <i>non-subscribers</i> for one-half of coupons on<br>bonds surrendered to Feb. 4, 1850, . . . . .   | 2,762 50       |
| Stock to <i>non-subscribers</i> to Aug. 5, 1850, . . . . .                                                   | 31,690 00      |
| Stock to <i>non-subscribers</i> for one-half of coupons on<br>bonds surrendered to Aug. 5, 1850, . . . . .   | 87 50          |

Total  $2\frac{1}{2}$  per cent. State Stock issued to August 5, 1850, . . . . . \$1,736,727 50

Deduct for  $2\frac{1}{2}$  per cent. stock redeemed up to August 5, 1850, . . . . . 20,000 00

Total  $2\frac{1}{2}$  per cent. stock outstanding August 5, 1850, \$1,716,727 50

*Preferred Five Per Cent. Canal Stock.*

The amount of one-half the principal of bonds surrendered chargeable to the canal, for which 5 per cent. Stock issued to subscribers of \$800,000 to canal, is as follows, viz:

|                                                         |             |
|---------------------------------------------------------|-------------|
| Stock to subscribers prior to July 1st, 1847, . . . . . | \$3,722,500 |
| Stock to subscribers to July 1st, 1848, . . . . .       | 357,000     |

Total *preferred* Canal Stock issued to Aug. 5, 1850, \$4,079,500

*Deferred Five Per Cent. Canal Stock.*

The amount of one-half the principal of bonds surrendered chargeable to canal, for which 5 per cent. stock issued to *non-subscribers* to \$800,000 loan to canal, is as follows, viz:

|                                                             |                  |
|-------------------------------------------------------------|------------------|
| Stock to non-subscribers prior to July 1st, 1847, . . . . . | \$344,000        |
| Stock to non-subscribers to Jan. 1st, 1848, . . . . .       | 106,000          |
| Stock to non-subscribers to July 1st, 1848, . . . . .       | 49,500           |
| Stock to non-subscribers to July 1st, 1849, . . . . .       | 81,000           |
| Stock to non-subscribers to Feb. 4th, 1850, . . . . .       | 54,000           |
| Stock to non-subscribers to August 5th, 1850, . . . . .     | 67,500           |
| Total stock issued to August 5th, 1850, . . . . .           | <u>\$702,000</u> |

*Special Preferred Two and One-half Per Cent. Canal Stock.*

The amount of one half of the interest on Wabash and Erie Canal Bonds surrendered chargeable to canal, for which  $2\frac{1}{2}$  per cent. stock issued to subscribers of \$800,000, as loan to canal, is as follows, viz:

|                                                                                       |                    |
|---------------------------------------------------------------------------------------|--------------------|
| Stock to subscribers prior to July 1st, 1847, . . . . .                               | \$1,106,725        |
| Stock to subscribers to July 1st, 1848, . . . . .                                     | 98,950             |
| Stock to subscribers for one-half of coupons surrendered to July 1st, 1848, . . . . . | 7,950              |
| Stock to subscribers for one-half of coupons surrendered to Aug. 5th, 1850, . . . . . | 2,625              |
| Total issued to Aug. 5th, 1850, . . . . .                                             | <u>\$1,216,250</u> |

*Special Deferred Two and One-half Per Cent. Canal Stock.*

The amount of one-half the interest on Wabash and Erie Canal bonds surrendered, chargeable to canal, for which  $2\frac{1}{2}$  per cent. stock issued to *non-subscribers* to loan of \$800,000 to canal, is as follows, viz:

|                                                             |              |
|-------------------------------------------------------------|--------------|
| Stock to non-subscribers prior to July 1st, 1847, . . . . . | \$101,212 50 |
| Stock to non-subscribers to Jan. 1st, 1848, . . . . .       | 30,587 50    |
| Stock to non-subscribers to July 1st, 1848, . . . . .       | 13,725 00    |

|                                                                                 |                     |
|---------------------------------------------------------------------------------|---------------------|
| Stock to non-subscribers, for one half the coupons, to July 1st, 1848, .....    | 1,325 00            |
| Stock to non-subscribers, to July 1st, 1849, .....                              | 22,250 00           |
| Stock to non-subscribers, to Feb. 4th, 1850, .....                              | 15,950 00           |
| Stock to non-subscribers, for one half the coupons to February 4th, 1850, ..... | 2,762 50            |
| Stock to non-subscribers to August 5th, 1850, .....                             | 19,500 00           |
| Stock to non-subscribers, for one half of coupons to August 5th, 1850, .....    | 87 50               |
| Total stock issued to August 5th, 1850, .....                                   | <u>\$207,400 00</u> |

*Recapitulation of Stocks issued.*

|                                                   |                               |
|---------------------------------------------------|-------------------------------|
| 5 per cent. State Stock, .....                    | \$4,781,500 00                |
| 2½ per cent. State Stock, .....                   | 1,736,727 50                  |
| 5 per cent. preferred Canal Stock, .....          | 4,079,500 00                  |
| 5 per cent. deferred Canal Stock, .....           | 702,000 00                    |
| 2½ per cent. special preferred Canal Stock, ..... | 1,216,250 00                  |
| 2½ per cent. special deferred Canal Stock, .....  | 207,400 00                    |
| Total stock issued to August 5th, 1850, .....     | <u>\$12,723,377 50</u>        |
| Deduct 2½ per cent. State Stock redeemed, .....   | 20,000 00                     |
| Total outstanding August 5th, 1850, .....         | <u><u>\$12,703,377 50</u></u> |

Interest is paid by the State on State 5 per cents only, and that at a rate of 4 per cent. until 1853, after which the rate will be 5 per cent. After 1853 the 2½ per cent. State Stock will bear that interest.

The Canal stocks are thrown upon the Canal for their redemption, principal and interest, under the arrangement of the Public Debt of the State with the bondholders.

## INTEREST ON STATE DEBT.

The amount of interest due and paid to the 5th August, 1850, under the arrangement with the bondholders, is as follows:

| <i>Date of Dividends.</i> | <i>Amount.</i> | <i>Amount Paid.</i> | <i>Balance unp'd.</i> |
|---------------------------|----------------|---------------------|-----------------------|
| July 1st, 1847,           | \$82,880 00    | \$82,810 00         | \$70 00               |
| Jan. 1st, 1848,           | 90,590 00      | 90,450 00           | 140 00                |
| July 1st, 1848,           | 91,580 00      | 92,430 00           | 150 00                |
| Jan. 1st, 1849,           | 93,090 00      | 92,850 00           | 240 00                |
| July 1st, 1849,           | 95,300 00      | 94,740 00           | 560 00                |
| Jan. 1st, 1850,           | 95,820 00      | 94,690 00           | 1,130 00              |
| July 1st, 1850,           | 97,710 00      | 92,299 00           | 5,411 00              |

## DOMESTIC DEBT OF THE STATE.

*Six Per Cent. Treasury Notes.*

|                                                          |                 |
|----------------------------------------------------------|-----------------|
| Total amount issued, .....                               | \$1,500,000     |
| Redeemed—                                                |                 |
| In 1841-2, .....                                         | 147,700         |
| In 1843, .....                                           | 398,565         |
| In 1844, .....                                           | 200,525         |
| In 1845, .....                                           | 114,540         |
| In 1846, .....                                           | 147,370         |
| In 1847, .....                                           | 148,510         |
| In 1848, .....                                           | 70,580          |
| In 1849, .....                                           | 62,740          |
| In 1850, .....                                           | 86,000          |
| Total amount redeemed and cancelled, .....               | \$1,376,530     |
| Leaving a balance of, .....                              | 123,470         |
| From which deduct amount on hand for cancellation, ..... | 64,000          |
| Leaves total amount in circulation, .....                | <u>\$59,470</u> |

*Five Per Cent. Bank Scrip.*

|                                                          |                         |
|----------------------------------------------------------|-------------------------|
| Total amount issued, .....                               | \$722,640               |
| Redeemed—                                                |                         |
| In 1843, .....                                           | 46,350                  |
| In 1844, .....                                           | 91,990                  |
| In 1845, .....                                           | 72,405                  |
| In 1846, .....                                           | 76,590                  |
| In 1847, .....                                           | 100,320                 |
| In 1848, .....                                           | 56,400                  |
| In 1849, .....                                           | 56,350                  |
| In 1850, .....                                           | 46,410                  |
| Total amount redeemed and cancelled, .....               | <u>\$546,815</u>        |
| Leaving a balance of, .....                              | \$175,825               |
| From which deduct amount on hand for cancellation, ..... | 65,000                  |
| Leaves total amount unredeemed, .....                    | <u><u>\$110,825</u></u> |

*Quarter Per Cent. Treasury Notes.*

|                                                   |                       |
|---------------------------------------------------|-----------------------|
| Total amount of issue, .....                      | \$70,000              |
| Redeemed—                                         |                       |
| In 1848, .....                                    | 28,750                |
| In 1849, .....                                    | 31,565                |
| In 1850, .....                                    | 12,165                |
| Add amount on hand for cancellation, .....        | <u>3,460</u>          |
| Total amount redeemed, .....                      | \$75,940              |
| Excess of notes redeemed over notes issued, ..... | <u><u>\$5,940</u></u> |

## INTEREST ACCOUNT.

The following sums have been paid at the State Treasury as Interest on treasury notes:

Interest on treasury notes—

|                                                   |                            |
|---------------------------------------------------|----------------------------|
| On six per cents, .....                           | \$258,676 04               |
| On five per cents, .....                          | 82,263 33                  |
| On quarter per cents, .....                       | 572 54                     |
| Total amount audited, .....                       | <u>\$341,511 91</u>        |
| Add interest on notes on hand, 6 per cents, ..... | 35,000 00                  |
| Add interest on notes on hand, 5 per cents, ..... | 25,000 00                  |
| Total, .....                                      | <u><u>\$401,511 91</u></u> |

#### RECAPITULATION.

|                                     |                              |
|-------------------------------------|------------------------------|
| Six per cents redeemed, .....       | \$1,440,530 00               |
| Five per cents redeemed, .....      | 611,175 00                   |
| Quarter per cents redeemed, .....   | 75,940 00                    |
| Total interest allowed, .....       | <u>401,511 91</u>            |
| Amount paid on domestic debt, ..... | <u><u>\$2,529,156 91</u></u> |

#### Notes in Circulation.

|                                     |                            |
|-------------------------------------|----------------------------|
| Six per cents, .....                | \$59,470 00                |
| Five per cents, .....               | 110,825 00                 |
| Quarter per cents, estimated, ..... | 2,000 00                   |
| Total principal, .....              | <u>\$172,295 00</u>        |
| Estimated interest, .....           | 85,000 00                  |
| Total Domestic Debt, .....          | <u><u>\$257,295 00</u></u> |

Provision being made for the redemption of the five per cent. Bank Scrip, by the Common School fund, derived from Bank profits, through the Sinking Fund Commissioners, it will mostly be absorbed through that channel, and will leave chargeable upon the ordinary revenues of the State the amount of six per cents. in circulation, as follows:

|                            |                        |
|----------------------------|------------------------|
| Amount of principal, ..... | \$59,470               |
| Estimated interest, .....  | 35,000                 |
| Total, .....               | <u><u>\$94,470</u></u> |



LABASH AND ERIE CANAL FROM STATE LINE DIVIDING OHIO AND INDIANA TO THE OHIO RIVER, UNDER SUPERINTENDENCE OF TRUSTEES.

REPORT NO. 5.

*Receipts.*

There was remaining in the hands of Trustees on 1st of April, 1849, as per report No. 4, the sum of . . . \$201,849 26  
The receipts by Trustees for the six months ending Oct. 1st, 1849, were as follows, viz:

|                                                             |                     |
|-------------------------------------------------------------|---------------------|
| From tolls and water rents No. 7498, . . . . .              | \$101,948 74        |
| From lands east and west of Tippiécanoe No. 7499, . . . . . | 2,870 00            |
| From lands in Vincennes District No. 7500, . . . . .        | 25,194 09           |
| From interest and exchange No. 7501, . . . . .              | 12,223 57           |
| From subscription of Bondholders No. 7502, . . . . .        | 153,840 00          |
| <b>Total, . . . . .</b>                                     | <b>\$497,925 64</b> |

*Expenditures.*

The expenditures by Trustees for the same period were as follows, viz:

|                                                                                     |            |
|-------------------------------------------------------------------------------------|------------|
| For general expenses, warrant No. 5104, . . . . .                                   | \$8,872 61 |
| For ordinary repairs of Canal No. 5105, . . . . .                                   | 24,031 72  |
| For extraordinary repairs No. 5106, . . . . .                                       | 10,640 48  |
| For expenses of superintendence No. 5107, . . . . .                                 | 2,933 95   |
| For expenses of Land office east and west of Tippe-<br>canoe No. 5108, . . . . .    | 3,346 31   |
| For expenses of collection No. 5109, . . . . .                                      | 2,360 73   |
| For construction of Canal from Coal Creek to Terre<br>Haute No. 5110, . . . . .     | 50,532 98  |
| For construction of Canal from Terre Haute to Point<br>Commerce No. 5111, . . . . . | 100,001 11 |
| For construction of Canal from Point Commerce to<br>Newbury No. 5112, . . . . .     | 63,500 88  |
| For construction of Canal from Newbury to Mays-<br>ville No. 5113, . . . . .        | 3,032 40   |
| For construction of Canal South of Maysville No.<br>5114, . . . . .                 | 15,845 20  |
| For expenses of Surveys No. 5115, . . . . .                                         | 7,431 37   |
| For expenses of Land Office, Vincennes District, No.<br>5116, . . . . .             | 735 14     |

|                                                      |                     |
|------------------------------------------------------|---------------------|
| For damages and water power No. 5117, .....          | 100 00              |
| For interest on advance of \$800,000 No. 5118, ..... | 12,609 84           |
| Balance on hand Oct. 1st, 1849, .....                | 191,950 92          |
| Total, .....                                         | <u>\$497,925 64</u> |

### REPORT No. 6.

#### *Receipts.*

There was remaining in the hands of Trustees on 1st October, 1849, as per report No. 5, the sum of.... \$191,950 92

The receipts by Trustees for the six months ending April 1st, 1850, were as follows, viz:

|                                                        |                     |
|--------------------------------------------------------|---------------------|
| From tolls and water rents No. 7503, .....             | \$39,844 13         |
| From lands east and west of Tippecanoe No. 7504, ..... | 26,506 50           |
| From lands in Vincennes District No. 7505, .....       | 27,637 72           |
| From interest and exchange No. 7507, .....             | 744 60              |
| From subscription of Bondholders No. 7508, .....       | 251,310 00          |
| Total, .....                                           | <u>\$537,993 87</u> |

#### *Expenditures.*

The expenditures by Trustees for the same period were as follows, viz:

|                                                                              |           |
|------------------------------------------------------------------------------|-----------|
| For general expenses warrant No. 5119, .....                                 | 7,616 73  |
| For ordinary repairs No. 5120, .....                                         | 14,517 96 |
| For extraordinary repairs No. 5121, .....                                    | 14,644 66 |
| For expenses of superintendence No. 5122, .....                              | 2,958 17  |
| For expenses of Land Office east and west of Tippecanoe No. 5123, .....      | 566 87    |
| For expenses of collection No. 5124, .....                                   | 2,438 43  |
| For construction of Canal from Coal Creek to Terre Haute No. 5125, .....     | 20,626 39 |
| For construction of Canal from Terre Haute to Point Commerce No. 5126, ..... | 58,195 72 |
| For construction of Canal from Point Commerce to Newbury No. 5127, .....     | 32,169 59 |

|                                                                     |                     |
|---------------------------------------------------------------------|---------------------|
| For construction of Canal from Newbury to Maysville No. 5128, ..... | \$29,685 75         |
| For construction of Canal South of Maysville No. 5129, .....        | 28,651 48           |
| For expenses of surveys No. 5130, .....                             | 6,631 10            |
| For expenses of Land Office in Vincennes District No. 5131, .....   | 454 40              |
| For damages and water power No. 5132, .....                         | 3,380 50            |
| For interest on subscription of \$800,000 No. 5133, .               | 16,521 09           |
| Balance on hand April 1st, 1850, .....                              | 298,935 03          |
| <b>Total, .....</b>                                                 | <b>\$537,993 87</b> |

### REPORT No. 7.

#### *Receipts.*

There was remaining in the hands of Trustees on 1st April, 1850, as per report No. 6, the sum of..... \$298,935 03

The receipts by the Trustees for the six months ending Oct. 1st, 1850, were as follows, viz:

|                                                     |                     |
|-----------------------------------------------------|---------------------|
| From tolls and water rents No. 7509, .....          | \$110,680 14        |
| From lands east and west of Tippecanoe No. 7510, .. | 27,258 82           |
| From lands in Vincennes District No. 7511, .....    | 22,590 75           |
| From interest and exchange No. 7512, .....          | 12,146 64           |
| From subscription of Bondholders No. 7513, .....    | 2,700 00            |
| From overcharge for disbursements No. 7514, .....   | 553 00              |
| <b>Total, .....</b>                                 | <b>\$474,864 38</b> |

#### *Expenditures.*

The expenditures by Trustees for the same period were as follows, viz:

|                                                                          |             |
|--------------------------------------------------------------------------|-------------|
| For general expenses warrant No. 5134, .....                             | \$12,186 31 |
| For ordinary repairs No. 5135, .....                                     | 16,322 06   |
| For extraordinary repairs No. 5136, .....                                | 9,970 15    |
| For expenses of superintendence No. 5137, .....                          | 3,257 05    |
| For expenses of Land Office east and west of Tippecanoe, No. 5138, ..... | 279 50      |
| For expenses of collection No. 5139, .....                               | 2,743 42    |

|                                                                               |                     |
|-------------------------------------------------------------------------------|---------------------|
| For construction of Canal from Coal Creek to Terre-Haute, No. 5140, .....     | 4,475 01            |
| For construction of Canal from Terre Haute to Point Commerce. No. 5141, ..... | 26,016 24           |
| For construction of Canal from Point Commerce to Newbury, No. 5142, .....     | 24,539 40           |
| For construction of Canal from Newbury to Maysville, No. 5143, .....          | 38,832 10           |
| For construction of Canal south of Maysville, No. 5144, .....                 | 106,947 58          |
| For expenses of surveys, No. 5145, .....                                      | 6,334 01            |
| For expenses of Land Office in Vincennes district No. 5146, .....             | 472 70              |
| For damages and water power, No. 5147, .....                                  | 3,300 00            |
| For interest on subscription of \$800,000, No. 5148, ..                       | 24,278 75           |
| Balance on hand Oct. 1st, 1850, .....                                         | 194,910 09          |
| Total, .....                                                                  | <u>\$474,864 38</u> |

Grand total of receipts and expenditures on account of Wabush and Erie Canal from its commencement to Oct. 1st, 1850, viz:

#### *Expenditures.*

|                                                |                       |
|------------------------------------------------|-----------------------|
| Total by State to surrender to Trustees, ..... | \$5,321,565 82        |
| Total by Trustees to Oct. 1st, 1847, .....     | 7,420 77              |
| Total by Trustees to April 1st, 1848, .....    | 128,848 20            |
| Total by Trustees to Oct. 1st, 1848, .....     | 225,463 42            |
| Total by Trustees to April 1st, 1849, .....    | 225,642 57            |
| Total by Trustees to Oct. 1st, 1849, .....     | 305,974 72            |
| Total by Trustees to April 1st, 1850, .....    | 239,058 84            |
| Total by Trustees to Oct. 1st, 1850, .....     | 279,954 29            |
| Total cost to Oct. 1st, 1850, .....            | <u>\$6,733,928 63</u> |

#### *Receipts.*

|                                                |                |
|------------------------------------------------|----------------|
| Total by State to surrender to Trustees, ..... | \$1,701,459 44 |
| Total by Trustees to Oct. 1st, 1847, .....     | 302,856 73     |
| Total by Trustees to April 1st, 1848, .....    | 235,056 51     |
| Total by Trustees to Oct. 1st, 1848, .....     | 150,550 44     |
| Total by Trustees to April 1st, 1849, .....    | 100,760 54     |
| Total by Trustees to Oct. 1st, 1849, .....     | 296,076 38     |

|                                                                                           |                       |
|-------------------------------------------------------------------------------------------|-----------------------|
| Total by Trustees to April 1st, 1850, .....                                               | 346,042 95            |
| Total by Trustees to Oct. 1st, 1850, .....                                                | 175,929 35            |
| Total receipts from all sources to Oct. 1st, 1850, ..                                     | \$3,308,732 34        |
| Deduct subscription of bondholders, to be refunded<br>from revenues of Canal, .....       | 816,610 63            |
| Total net receipts, .....                                                                 | \$2,492,121 71        |
| Total expenditures, .....                                                                 | 6,733,928 63          |
| Grand total of expenditures over receipts from com-<br>mencement to Oct. 1st, 1850, ..... | <u>\$4,241,806 92</u> |

#### TOLLS AND WATER RENTS OF WABASH AND ERIE CANAL.

The following is the amount of tolls and water rents received at each Toll Collector's office on the Wabash and Erie Canal, from October 1st, 1849, to October 1st, 1850, viz:

|                                               |                    |
|-----------------------------------------------|--------------------|
| Fort Wayne office, for October, 1849, .....   | \$9,346 98         |
| Fort Wayne office, for November, 1849, .....  | 7,960 73           |
| Fort Wayne office, for December, 1849, .....  | 438 84             |
| Fort Wayne office, for January, 1850, .....   | 000 00             |
| Fort Wayne office, for February, 1850, .....  | 000 00             |
| Fort Wayne office, for March, 1850, .....     | 466 44             |
| Fort Wayne office, for April, 1850, .....     | 4,612 13           |
| Fort Wayne office, for May, 1850, .....       | 4,795 00           |
| Fort Wayne office, for June, 1850, .....      | 4,518 95           |
| Fort Wayne office, for July, 1850, .....      | 4,182 96           |
| Fort Wayne office, for August, 1850, .....    | 8,243 28           |
| Fort Wayne office, for September, 1850, ..... | 11,238 70          |
| Total, .....                                  | <u>\$55,844 01</u> |

|                                         |            |
|-----------------------------------------|------------|
| Lagro office, for October, 1849, .....  | \$1,776 75 |
| Lagro office, for November, 1849, ..... | 889 16     |
| Lagro office, for December, 1849, ..... | 366 42     |
| Lagro office, for January, 1850, .....  | 000 00     |
| Lagro office, for February, 1850, ..... | 000 00     |
| Lagro office, for March, 1850, .....    | 763 82     |
| Lagro office, for April, 1850, .....    | 1,075 01   |
| Lagro office, for May, 1850, .....      | 1,142 92   |
| Lagro office, for June, 1850, .....     | 897 10     |
| Lagro office, for July, 1850, .....     | 133 81     |

|                                         |                    |
|-----------------------------------------|--------------------|
| Lagro office, for August, 1850,.....    | 1,587 53           |
| Lagro office, for September, 1850,..... | 1,878 32           |
| <b>Total,.....</b>                      | <b>\$10,501 74</b> |

|                                               |                    |
|-----------------------------------------------|--------------------|
| Logansport office, for October, 1849, .....   | \$1,151 34         |
| Logansport office, for November, 1849, .....  | 1,090 21           |
| Logansport office, for December, 1849, .....  | 33 69              |
| Logansport office, for January, 1850, .....   | 0,000 00           |
| Logansport office, for February, 1850, .....  | 0,000 04           |
| Logansport office, for March, 1850, .....     | 1,049 24           |
| Logansport office, for April, 1850, .....     | 2,101 23           |
| Logansport office, for May, 1850, .....       | 1,768 15           |
| Logansport office, for June, 1850, .....      | 1,591 62           |
| Logansport office, for July, 1850, .....      | 501 83             |
| Logansport office, for August, 1850, .....    | 3,035 72           |
| Logansport office, for September, 1850, ..... | 2,485 14           |
| <b>Total,.....</b>                            | <b>\$15,807 17</b> |

|                                              |                    |
|----------------------------------------------|--------------------|
| Lafayette office, for October, 1849, .....   | \$4,425 53         |
| Lafayette office, for November, 1849, .....  | 4,211 60           |
| Lafayette office, for December, 1849, .....  | 660 34             |
| Lafayette office, for January, 1850, .....   | 000 00             |
| Lafayette office, for February, 1850, .....  | 000 00             |
| Lafayette office, for March, 1850, .....     | 1,586 36           |
| Lafayette office, for April, 1850, .....     | 10,127 31          |
| Lafayette office, for May, 1850, .....       | 7,878 22           |
| Lafayette office, for June, 1850, .....      | 7,713 80           |
| Lafayette office, for July, 1850, .....      | 3,793 43           |
| Lafayette office, for August, 1850, .....    | 6,450 25           |
| Lafayette office, for September, 1850, ..... | 7,056 18           |
| <b>Total,.....</b>                           | <b>\$53,903 02</b> |

|                                             |            |
|---------------------------------------------|------------|
| Covington office, for October, 1849, .....  | \$2,394 38 |
| Covington office, for November, 1849, ..... | 1,255 29   |
| Covington office, for December, 1849, ..... | 25 80      |
| Covington office, for January, 1850, .....  | 000 00     |
| Covington office, for February, 1850, ..... | 000 00     |
| Covington office, for March, 1850, .....    | 000 00     |
| Covington office, for April, 1850, .....    | 1,918 67   |

|                                              |            |
|----------------------------------------------|------------|
| Covington office, for May, 1850, .....       | \$1,267 71 |
| Covington office, for June, 1850, .....      | 1,322 81   |
| Covington office, for July, 1850, .....      | 1,679 09   |
| Covington office, for August, 1850, .....    | 1,203 75   |
| Covington office, for September, 1850, ..... | 1,891 68   |

Total, ..... \$12,959 18

|                                                |          |
|------------------------------------------------|----------|
| Terre Haute office, for July, 1850, .....      | \$421 37 |
| Terre Haute office, for August, 1850, .....    | 503 10   |
| Terre Haute office, for September, 1850, ..... | 384 06   |

Total, ..... \$1,308 53

#### WABASH AND ERIE CANAL SCRIP EAST OF TIPPECANOE.

The amount of Canal Land Scrip East, issued by the Auditor and Treasurer of State, with the dates of the respective issues, is as follows, viz:

|                                                      |                     |
|------------------------------------------------------|---------------------|
| 1842, May 7, from No. 1 to No. 10,268, .....         | \$51,340 00         |
| 1843, May 20, from No. 10,269 to No. 11,269, .....   | 5,005 00            |
| 1843, May 25, from No. 11,269 to No. 15,262, .....   | 19,965 00           |
| 1843, Dec. 28, from No. 15,262 to No. 20,262, .....  | 25,000 00           |
| 1844, May 4, from No. 20,262 to No. 24,262, .....    | 20,000 00           |
| 1844, Sept. 4, from No. 24,262 to No. 28,262, .....  | 20,000 00           |
| 1844, Oct. 19, from No. 28,262 to No. 34,262, .....  | 30,000 00           |
| 1845, April 25, from No. 34,262 to No. 44,262, ..... | 50,000 00           |
| 1845, July 11, from No. 44,262 to No. 50,262, .....  | 30,000 00           |
| 1845, Aug. 22, from No. 50,262 to No. 54,262, .....  | 20,000 00           |
| 1846, Feb. 11, from No. 54,262 to No. 61,262, .....  | 35,000 00           |
| Total issued by Auditor and Treasurer, .....         | <u>\$306,310 00</u> |

Add to the foregoing the following amounts issued by Commissioners of Wabash and Erie Canal, a Register of which was filed in this office, viz:

|                                                                                |                     |
|--------------------------------------------------------------------------------|---------------------|
| Amount issued by J. L. Williams, as per certificates No. 1 to No. 7,097, ..... | 82,198 04           |
| Amount issued by S. Fisher, as per certificates No. 7,098 to No. 7,214, .....  | 7,711 01            |
| Total amount, .....                                                            | <u>\$396,219 05</u> |

There have been redeemed and cancelled at the Treasury the following sums, viz:

|                                                |                           |
|------------------------------------------------|---------------------------|
| 1843, Sept. 19, as per warrant No. 6,478,..... | \$33,452 11               |
| 1843, Sept. 19, as per warrant No. 6,490,..... | 31 419 68                 |
| 1844, Jan. 12, as per warrant No. 6,706,.....  | 44,017 76                 |
| 1844, Sept. 10, as per warrant No. 7,914,..... | 100 00                    |
| 1846, March 6, as per warrant No. 793,.....    | 90,537 92                 |
| 1847, Jan. 23, as per warrant No. 1,370,.....  | 90,464 85                 |
| 1848, Feb. 22, as per warrant No. 2,692,.....  | 14,165 45                 |
| 1849, Jan. 22, as per warrant No. 3,541,.....  | 41,667 06                 |
| 1850, Jan. 15, as per warrant No. 4,252,.....  | 25,453 01                 |
| Total redeemed and cancelled,.....             | <u>\$371,277 84</u>       |
| Amount in Treasury not cancelled,.....         | 12,999 88                 |
| Total amount redeemed,.....                    | <u>\$384,277 72</u>       |
| Total amount issued,.....                      | 396,219 05                |
| Leaving total amount outstanding,.....         | <u><u>\$11,941 33</u></u> |

#### WABASH AND ERIE CANAL SCRIP, WEST.

##### *Scrip Issued.*

|                                    |                         |
|------------------------------------|-------------------------|
| Total amount of Scrip issued,..... | <u><u>\$819,980</u></u> |
|------------------------------------|-------------------------|

##### *Scrip Redeemed.*

|                                                     |                     |
|-----------------------------------------------------|---------------------|
| Amount redeemed in 1843,.....                       | \$29,255            |
| Amount redeemed in 1844,.....                       | 135,275             |
| Amount redeemed in 1845,.....                       | 91,840              |
| Amount redeemed in 1846,.....                       | 259,415             |
| Amount redeemed in 1847,.....                       | 191,150             |
| Amount redeemed in 1848,.....                       | 31,425              |
| Amount redeemed in 1849,.....                       | 36,985              |
| Amount redeemed in 1850,.....                       | 15,845              |
| Total amount redeemed and cancelled,.....           | <u>\$791,190</u>    |
| Amount in Treasury not cancelled,.....              | 22,490              |
| Total amount redeemed,.....                         | <u>\$813,680</u>    |
| Leaving total amount outstanding Oct. 31, 1850,.... | <u><u>6,300</u></u> |



On motion by Mr. Willard,

The vote on the adoption of the following resolution was reconsidered :

*Resolved*, That in the opinion of this House, the Assistant Clerks are its elected officers, and are therefore entitled to a copy of the Debates of the Constitutional Convention, and the Secretary of said Convention is respectfully requested to deliver a copy of the same to them.

On motion by Mr. Willard,

The resolution was amended by adding in the proper place, " and clerk to the committee on Ways and Means and committee on the Judiciary."

The resolution was then adopted.

A message from the Senate by Mr. Emerson, their Secretary :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives that the Senate adhere to their disagreement to the engrossed amendment of the House to engrossed bill of the Senate,

No. 156. An act to amend an act entitled an act to incorporate the Ohio and Mississippi Railroad Company, approved January 15, 1849, so far as relates to the county of Daviess ;

And have appointed Messrs. Ellis and Berry a committee of free conference on the part of the Senate, to act with a similar committee on the part of the House, to take into consideration the disagreement of the two houses relative to said amendment.

Mr. Goodwin, from the committee on free conference, made the following report :

MR. SPEAKER :

The committee of free conference, to whom was referred the disagreement of the two houses upon the engrossed amendment of the Senate to House bill No. 156, to amend an act to incorporate the Ohio and Mississippi Railroad Company, have instructed me to report to the House that they have been unable to come to any agreement upon the subject, and ask to be discharged from further consideration of the subject.

Which was concurred in.

A message from the Senate, by Mr. Emerson, their Secretary ;

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives that the Senate adhere to their first engrossed amendment of the Senate to engrossed bill of the House,

No. 481. Making specific appropriations for the year 1851;

And have appointed Messrs. Eddy and Winstandley a committee of free conference on the part of the Senate, to act with the committee appointed on the part of the House to take into consideration the disagreement of the two houses relative to said amendment.

A message from the Senate, by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am instructed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill of the House, without amendment:

No. 382. An act to extend a certain road therein named.

A message from the Governor, by Mr. Noel, Executive Messenger:

**MR. SPEAKER:**

I am directed by the Governor to inform the House of Representatives that he has approved and signed the following bills:

No. 397. An act authorizing the sale of section sixteen (16), in township No. eight (8), north of range No. five (5), in the county of Bartholomew.

No. 389. An act to incorporate the German Union Support Society of Jefferson county.

No. 381. An act to amend an act entitled an act to incorporate the Richmond and Boston Turnpike Company, approved February 15, 1839.

No. 404. An act amendatory of the several acts relating to the city of Logansport, approved February 17, 1838, January 13, 1845, and January 14, 1848.

No. 301. An act to authorize the construction of a mill dam across the Tippecanoe river, in the county of White;

No. 330. An act to repeal an act to regulate the retailing of spirituous liquors in the county of Kosciusko, approved January 19, 1850;

No. 352. An act providing for a certain State road therein named;

No. 410. An act to repeal an act establishing additional places of holding elections in certain counties therein named, approved December 21, 1849;

No. 266. An act to incorporate the Central Michigan Plank Road Company ;

No. 366. An act to amend an act entitled "an act to incorporate the Ohio and Indiana Railroad Company, approved January 15, 1851 ;"

No. 375. An act for the benefit of the Indiana Hospital for the Insane ;

No. 278. An act for the relief of the Terre Haute and Richmond Railroad Company, and of the Indiana Central Railway Company ;

No. 374. An act to extend the provisions of an act entitled "an act to enable the qualified voters of district No. 4, in township No. 31, north of range 6 east, in Kosciusko county, to levy a tax in said district sufficient to build a school house, approved January 21, 1850, to the several school districts in Fulton county ;

No. 320. An act authorizing the Treasurer and Auditor of State, to re-settle with George H. Dunn, late Treasurer of State, and to correct any mistake that may be found in the former settlement of the said Dunn ;

No. 408. An act to extend the February and October terms of the Marion Probate Court ;

No. 306. An act to amend an act entitled "an act to compel non-residents to pay a road tax equal to that paid by residents in the county of Whitley, approved January 14, 1850 ;"

No. 274. A bill to incorporate the Indianapolis Gas Light and Coke Company ;

No. 238. An act to restrict the power of the Grand Jury of Shelby and Knox counties, and to limit the time of their sessions ;

No. 146. An act to incorporate the Connersville and Milton Turnpike Company.

No. 173. An act for the relief of Andrew Morgan of Dearborn county.

No. 293. An act to incorporate the Albion and Lisbon Turnpike Company.

No. 380. An act for the relief of Harmon N. Kress of Clay county, Indiana.

No. 296. An act to incorporate the "Grape-Vine Marsh" Plank Road Company.

No. 419. An act to amend an act entitled, "an act to provide for the election of township assessors and collectors in Jennings county, and for other purposes," approved February 12, 1848.

No. 350. An act to amend an act entitled, an act to incorporate the town of Peru, approved February 14, 1848.

No. 369. An act extending the provision of an act for the benefit of the Clark County Central Plank Road Company, to the Madison, Hanover and Lexington Plank Road Company.

No. 228. An act providing for the annexation of Lamasco to Evansville.

No. 261. An act to incorporate the Kankakee Bridge Company.

No. 279. A bill to incorporate the Blountsville, Smithfield and Montpelier Plank Road Company.

No. 309. An act to fix the compensation of clerks of the circuit courts in cases of naturalization.

No. 268. An act to establish a Free Turnpike Road.

No. 418. An act to legalize the sale made for delinquent taxes at the Mayor's office in the city of Fort Wayne on the 3d and 4th days of February, 1851.

No. 151. An act to amend the charter of the town of Terre Haute.

A message from the Senate by Mr. Emerson their Secretary :

**MR. SPEAKER :**

I am directed by the Senate to inform the House of Representatives, that the Senate have concurred in the report of the committee of Free Conference, appointed to take into consideration the disagreement of the two Houses in relation to the engrossed amendment of the Senate to engrossed bill of the House.

No. 481. An act making specific appropriations for the year 1851.

Mr. Gentry from the committee on Enrolled Bills made the following report :

**MR. SPEAKER :**

The committee on Enrolled Bills have compared the following enrolled bills with engrossed bills of the House and find them correctly enrolled, to-wit:

Bills No. 464, 441, 125.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Shook chairman of the committee on Enrolled Bills made the following report :

**MR. SPEAKER :**

The committee on Enrolled Bills have compared the following and find them correctly enrolled :

Nos. 364, 479, 466, 346, 305, 426, 458, 442, 465, 294, 36, 365, 207, 435, 285, 236, 383.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Chapman,

*Resolved*, That when this House adjourns, it will adjourn till 7 o'clock this evening.

On motion,  
The House adjourned.

7 o'clock, P. M.

The House met.

On motion by Mr. Hicks,

The vote on the adoption of a resolution, on yesterday, authorizing the printing of two thousand copies of the report of the joint committee on the subject of the Indiana Hospital for the Insane, was reconsidered.

Mr. Hicks offered the following amendment:

Amend by inserting after the words "for the use of the House," "and one thousand copies for the use of the Hospital."

Which was adopted.

The resolution was then adopted.

A message from the Senate by Mr. Emerson their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate have reconsidered the vote concurring in amendment of the House to the amendment of the Senate to resolution of the House fixing the day of the final adjournment of the General Assembly, and have concurred in said amendment with the following amendment:

Strike out the "13th" and insert the "14th."

In which the concurrence of the House is respectfully requested.

On motion,

The amendment of the Senate was concurred in.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate, by Mr. Emerson, their Secretary:

MR. SPEAKER:

I am directed by the Senate to inform the House, that the Senate

have passed the following engrossed bill of the House without amendment:

No. 142. A bill to regulate the sale of spirituous liquors in Jackson county.

A message from the Governor, by Mr. Noel, Executive Messenger:

MR. SPEAKER:

I am directed by the Governor to inform the House of Representatives, that he has approved and signed the following bills:

No. 479. An act relative to the practice of law in Marion county;

No. 257. An act to amend the charter of the Central Plank Road Company;

No. 219. An act to incorporate the Rising Sun Hotel Company;

No. 459. An act to raise a revenue for the year 1851;

No. 188. An act to repeal a part of the 31st section of an act to increase and extend the benefits of common schools;

No. 174. An act to authorize the building of a bridge across Laughery creek, by Anderson Morgan;

No. 466. An act to prohibit the sale of intoxicating drinks in the county of Randolph;

No. 364. An act incorporating the Madison and Cross Plains Plank Road Company;

No. 294. An act to repeal an act therein named;

No. 465. An act to equalize the price of the Swamp Lands in the State of Indiana;

No. 458. An act to authorize the printing of reports of Commissioners of the Indiana Hospital for the Insane and the Trustees of the Institution for the education of the Blind and Deaf and Dumb;

No. 426. An act to reinstate the office of County Auditor in the county of Johnson.

No. 435. A joint resolution in relation to the slave trade.

No. 365. An act to amend an act entitled an act to authorize the transfer of cases pending in the Probate to the Circuit Court, so far as relates to Putnam county, approved January 16th, 1849, and for other purposes.

No. 125. An act to enable persons sustaining damages occasioned by the construction of the Wabash and Erie Canal, to have their damages assessed without further delay, and for the more convenient service of process on the Trustees of said canal.

No. 36. An act to extend the time of holding Courts in the eleventh Judicial Circuit.

No. 236. An act to incorporate the White River Navigation Company.

No. 207. An act regulating the license of traveling Pedlers in the county of Dearborn.

No. 305. An act in relation to the sale of spirituous liquors in Johnson county.

No. 346. An act to authorize the County Commissioners of Wabash county to sell the Surplus Revenue Bank Stock of said county.

No. 464. An act making general appropriations for the year 1851.

No. 441. An act for the relief of persons who have suffered by the destruction of the justice's docket of Joseph W. Marshal, a justice of the peace of the county of Hancock, on the 24th day of December, 1850.

No. 460. An act to revive an act entitled an act to incorporate the Milton and Waterloo Turnpike Company.

No. 388. An act to authorize the city of Madison to borrow money.

No. 358. An act to incorporate the Vernon Insurance Life and Trust, Trading and Manufacturing Company.

No. 303. An act to incorporate the Franklin and Shelbyville Turnpike Company.

No. 265. An act to amend the charter of the Evansville and Illinois Railroad Company.

No. 357. An act to extend an act entitled an act to authorize the sheriff of Lawrence county to serve process issued by justices of the peace in certain cases, to the county of Owen.

No. 338. An act to incorporate the Wabash, Warsaw and Goshen Plank Road Company.

No. 276. An act for the better improvement of highways in the counties of Carroll and Delaware.

No. 333. An act to extend the time of holding the sessions of the Board of County Commissioners of Warren county.

No. 446. An act to vacate a certain street in the town of Crawfordsville.

No. 74. An act in relation to sales of land forfeited to the State by borrowers of College and other funds.

No. 253. An act to regulate the mode of doing township business in the county of Wabash.

No. 402. An act to repeal an act to prohibit the sale of intoxicating drinks in Blue River township, Johnson county, approved Jan. 21, 1850.

No. 311. An act to incorporate the congregation of the German Evangelical Lutheran St. Paul's Church, in the city of Fort Wayne, in the county of Allen.

No. 377. A joint resolution suspending the operations of a certain act therein named.

No. 353. An act to incorporate the town of Valparaiso in the county of Porter.

No. 355. An act to attach the south half of section 5, township No. 3, north of range 8 east, in the county of Jefferson, to the county of Scott.

- No. 371. An act declaring a certain name a misprint.
- No. —. An act for the relief of Harvey Bates, of the county of Marion.
- No. 285. An act to incorporate the New Albany and Vincennes Plank Road Company.
- No. 377. An act to authorize the formation of Gaslight Companies.
- No. 411. An act to authorize the Board doing county business in Tipton county to change burial ground for the town of Tipton.
- No. 427. An act to amend the charter of Dublin, in Wayne county.
- No. 400. An act to repeal an act entitled an act regulating the salary of the Auditor of Putnam county, approved Feb. 11, 1848.
- No. 394. An act legalizing the sale of the School section in township 11, north of range 1 east, in Morgan county, Indiana.
- No. 395. An act to locate a State road in the counties of Boone and Marion.
- No. 383. A bill to incorporate the Franklin Insurance Company.

On motion by Mr. Davis of Scott,

*Resolved, unanimously,* That while we disclaim any intention of taking part in the controversy between the Hon. Geo. B. Graff, of Gibson county, and others, growing out of the late Senatorial canvass, we take great pleasure in testifying to the ability, dignity, courtesy, and effect with which he has discharged all his duties as a member of this body, and in thus publicly tendering to him the unsolicited evidence of our individual confidence and esteem for him as a man and a legislator.

*Resolved,* That the Clerk of this House furnish Dr. Graff with a certified copy of these resolutions.

Mr. Gentry from the committee on Enrolled Bills, made the following report:

MR. SPEAKER:

The committee on Enrolled Bills, have compared the following enrolled bills with the engrossed bills of the House, and find them correctly enrolled, to-wit:

Nos. 160, 133, 421, 428, 474, 416, 478, 89, 396.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

On motion by Mr. Johnston,



*Resolved*, That when this House adjourn it adjourn to meet to-morrow morning at five o'clock.

On motion,

Leave was granted Mr. Rice to withdraw a petition from the files of the House.

On motion by Mr. Shook,

*Resolved*, That the Hon. W. K. Edwards of Vigo, the Hon. J. W. Rice, from Orange, and the Hon. Mr. Hosbrook of Marion, be added to the committee on enrolled bills.

Mr. Shook, chairman of the committee on enrolled bills, made the following report:

MR. SPEAKER :

The committee on enrolled bills, have compared the following enrolled bills, and find them correctly enrolled :

Nos. 449, 469, 473, 455, 438, 399, 385, 384, 481, 372, 422, 450, 344, 439, 429, 470, 422, 382, 342, 35, 403, 468, 360, 480, 443, 434, 453.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

On motion,

The House adjourned until to-morrow morning, 5 o'clock.

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FRIDAY MORNING, 5 o'clock, Feb. 14, 1851.

The House met.

On motion,

The reading of the Journal was dispensed with.

Mr. Rice, from the committee on enrolled bills, made the following report:

MR. SPEAKER :

The committee on enrolled bills have compared the following engrossed bills, and find the same correctly enrolled, viz:

No. 391. An act to extend the provisions of Art. No. 1, chapter No. 42 of the Revised Statutes of 1843.

No. 254. An act for the sale of the public square of Evansville, and the application of its proceeds to the erection of new county buildings for Vanderburgh county.

No. 362. An act to repeal an act to amend the statute providing for taking a change of venue in criminal cases, as far as Allen county is concerned, approved January 16, 1849.

No. 393. An act to repeal a plank road law of Huntington and Whitley counties.

No. 412. An act for the relief of purchasers of school lands in the county of La Grange.

No. 413. An act supplementary to the act for the relief of John L. Gerke, passed at the present session of the General Assembly.

No. 451. An act to authorize the county surveyor of Miami county, to re-survey the town of Mexico in said county.

No. 452. An act to incorporate the Philalethean Society of Hancock College.

No. 321. An act to incorporate the Wabash and Marion Plank Road Company.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Gentry, from the committee on enrolled bills, made the following report:

**MR. SPEAKER:**

The committee on enrolled bills have compared bills Nos. 179, 163, 31, 139, 162, 201 and 161, and find them correct.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Shook, chairman of the committee on enrolled bills, made the following report:

**MR. SPEAKER:**

The committee on enrolled bills have compared the following, and find them correctly enrolled:

Nos. 405, 287, 457, 406, 461, 423, 425, 288, 401, 174, 456, 471, 81, 165, 291, 254.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

Mr. Edwards, from the committee on enrolled bills, made the following report:

**MR. SPEAKER:**

The committee on enrolled bills have compared the following enrolled with the engrossed bills thereof, and find the same enrolled correctly, to wit:

No. 347. An act to authorize the draining of wet lands in Miami, Allen, Huntington and St. Joseph counties.

No. 274. An act relative to township elections, when there is more than one precinct in any township in the counties of Daviess and Martin.

Whereupon the Speaker signed the same.

Ordered that the Clerk inform the Senate thereof.

A message from the Senate by Mr. Emerson, their Secretary:

**MR. SPEAKER:**

I am directed by the Senate to inform the House of Representatives, that the Senate have adopted the following resolution, to wit:

*Resolved*, That the Secretary inform the House of Representatives, that the Senate have now gone through with their legislative business, and are now ready to adjourn sine die.

A message from the Governor, by Mr. Noel, Executive Messenger:

**MR. SPEAKER:**

I am directed by his Excellency the Governor, to inform the House of Representatives, that he has signed and approved the following bills:

No. 288. An act to locate a state road in the counties of Montgomery and Tippecanoe.

No. 425. An act to locate a state road between the counties of Tipton and Howard.

No. 453. An act defining the power of Justices of the Peace in Marion county.

No. 471. An act to restrict the Grand Jury of the county of Marshall, to a limited time in their sessions.

No. 440. An act to amend an act entitled an act for the call of a Convention of the people of the State of Indiana, to revise, amend or alter the constitution of said State, approved January 18, 1850.

No. 347. An act to authorize the draining of wet lands in Miami, Allen, Huntington and St. Joseph counties.

No. 291. An act to provide for defraying the expenses of selecting the overflowed and swamp lands in the State of Indiana, and for other purposes.

No. 456. An act to amend the act entitled an act to incorporate the town of Troy, in Perry county, approved January 21, 1850.

No. 362. An act to repeal an act to amend the Statute providing for taking a change of venue in criminal cases, so far as Allen county is concerned, approved January 16th, 1849.

No. 480. An act to amend an act entitled an act to amend an act to improve the roads in centre township, in Dearborn county, approved January 18, 1847.

No. 321. An act to incorporate the Wabash and Marion Plank Road Company.

No. 406. An act to prevent attorneys from doing the duties of sheriff in the county of Tippecanoe.

No. 461. A joint resolution granting the freedom of the State Library to Capt. Michael Fitzgibbon, and John B. Dillon.

No. 254. A bill for the sale of the public square of Evansville, and the application of its proceeds to the erection of new county buildings for Vanderburgh county.

No. 393. An act to repeal a plank road law of Huntington and Whitley counties.

No. 412. An act for the relief of purchasers of school lands in the county of LaGrange.

No. 413. An act supplementary to the act for the relief of L. Gerke, passed at the present session of the General Assembly.

No. 391. An act to extend the provisions of article No. 1, of chapter 42, of the Revised Statutes of 1843.

No. 451. An act to authorize the county surveyor of Miami county to re-survey the town of Mexico, in said county.

No. 452. An act to authorize the Philalethean Society of Hanover College.

No. 287. An act to locate a State road from Bennetsville, in Clark county, to Salem, in Washington county.

No. 434. An act reducing the fees for taking acknowledgments of mortgages to the trust funds.

No. 423. An act to authorize the county commissioners of Pike county to make an appropriation therein named.

No. 405. An act to incorporate the Madison and Vevay Plank Road Company.

No. 457. An act to amend an act entitled an act to restrict the Grand Jurors of the counties of Porter and Lake to a limited time in their sessions, and for other purposes, approved February, 8, 1851.

No. 165. An act to amend chapter 7, article 1, section 2, of the Revised Code.

No. 443. An act to regulate the collection of the surplus revenue in Carroll county.

No. 401. An act to establish additional places of holding elections in certain counties therein named.

No. 360. An act for the relief of the owners of lands mortgaged to the sinking fund.

A message from the Governor by Mr. Noel, Executive messenger.

## MR. SPEAKER:

I am directed by the Governor to inform the House of Representatives that he has approved the following bills:

No. 142. An act to regulate the sale of spirituous liquors in Jackson county, Indiana.

No. 372. An act providing for the election of three school commissioners, in township No. 12, north of range No. 11 east, in the counties of Franklin, Rush, and Decatur.

No. 442. An act to authorize the board of commissioners of Putnam county to issue bonds.

No. 449. An act to incorporate the Camden and Lockport Plank Road Company.

No. 403. A joint resolution for the relief of Capt. William Waldo.

No. 470. An act to incorporate the town of Milford, Decatur county.

No. 450. An act to relocate the State road between Paoli, in the county of Orange, and Troy, in the county of Perry.

No. 429. An act surrendering the right of way to railroad companies across swamp lands.

No. 424. An act to incorporate the Aurora Hotel Company.

No. 382. An act to extend a certain road therein named.

No. 468. An act to amend an act entitled an act to amend the Ohio, Indiana, and Lake Michigan Railroad Company, approved January 17, 1849.

No. 422. A Joint Resolution in relation to papers and records appertaining to the Wabash and Erie Canal, its extension and feeders.

No. 439. An act to enable John Travis of Laporte county, to prosecute a suit for a divorce.

No. 342. An act amendatory to an act entitled an act to increase and extend the benefits of common schools, approved January 17, 1849.

No. 344. An act to authorize the Treasurer of Laporte county to charge a per centage on road tax receipts.

No. 473. An act supplemental to an act entitled an act to provide for defraying the expenses of selecting the overflowed and swamp lands in the State of Indiana, and for other purposes, passed in February, 1851.

No. 89. An act to authorize John Warren to file a bill in chancery in the Tipton circuit court.

No. 481. An act making specific appropriations for the year 1851.

No. 133. An act to extend the Martinsville and Franklin Railroad *via* Spencer in Owen county, to the Wabash and Erie Canal.

No. 160. An act for the more effectual, just and equal assess-

ment and valuation of the personal property, moneys, rights, credits, effects, and corporation stock in the State of Indiana.

No. 421. An act for the relief of Peter Helphenstine, a purchaser of school lands.

No. 474. An act to amend an act providing for the election of township assessors in the counties of Greene and Hamilton, approved January 18, 1850.

No. 423. An act to repeal an act entitled an act to regulate the practice of law in the Lagrange circuit court, approved February 16, 1848.

No. 384. An act to appraise the real estate of this State, and to make the value of the same equal and uniform throughout the State.

No. 396. An act to create a school district in Marshall county.

No. 399. An act for the relief of Samuel Shimer and other purchasers of school lands in Randolph and Delaware counties.

No. 455. An act to regulate the sale of spirituous liquors in the county of Tippecanoe.

No. 385. An act providing for electing township assessors in Rush county.

No. 469. A Joint Resolution authorizing the distribution of the debates of the late Constitutional Convention.

No. 478. An act relative to the taxation of costs in certain cases.

No. 438. An act to authorize Joseph Morrow, Silas Parks, and Robert Wilson, Commissioners appointed by the Grant Probate Court, to sell the real estate of William Wallace, deceased, at private sale.

No. 416. An act in reference to proceedings upon scire facias.

A Message from the Senate by Mr. Emerson, their Secretary.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate have adopted the following resolution, to wit:

*Resolved*, That a committee of two be appointed on the part of the Senate to act with a similar committee to be appointed on the part of the House of Representatives, to wait on his Excellency the Governor, and inform him that the two Houses of the General Assembly have gone through with the business of the session, and are now ready to adjourn sine die, unless he has some further communication to make.

And that Messrs Winstandley and Teegarden have been appointed said committee on the part of the Senate.

On motion,

The resolution was reciprocated, and Messrs. Edwards and Willard were appointed a committee on the part of the House.

Ordered that the Clerk inform the Senate thereof.

On motion,

A call of the House was ordered, when the following members answered to their names, viz:

Messrs. Bird, Carr, Chapman, Coburn, Crawford, Davis of Scott, Edwards, Goodwin, Franklin, Gentry, Hamilton, Hammond, Harrison, Haywood, Hicks, Hosbrook, Humphreys, Johnston, Jordan, Lank, Lewis, Lindsey, Marquess, Marshall, McCarty, Moore, Morrow, Painter, Phillips, Rice, Riley, Ross, Shook, Thorn, Watt, Watts, Willard, Wilson, Withers, and Mr. Speaker—38.

Absent:

Messrs. Armstrong, Benson, Blue, Bradley, Brown of Pike, Brown of Shelby, Bulla, Campbell, Caylor, Clark, Conner, Cowan, Cox, Crim, Davis of Dubois, Donaldson, Elkins, Essex, Fleece, Goodman, Grass, Hall, Harris, Houghman, Hubbard, Hutchinson, Isom, Jackson, Jones, Lawrence, Marvin, McClelland, McKim, McMakin, Mercer, Millikan, Morgan, Nelson, O'Neal, Pancake, Patterson of Marshall, Patterson of Tippecanoe, Peckenpaugh, Pratt, Reynolds, Robbins, Shull, Simler, Stayner, Stone, Schwartz, Swihart of Huntington, Swihart of Wabash, Thompson of Carroll, Thompson of Delaware, Usher, Walls, Watson, Williamson, and Wittenmeyer—62.

Mr. Edwards, from a joint committee, made the following report:

**MR. SPEAKER:**

The joint committee appointed to wait on his Excellency the Governor, and inform him that both Houses have gone through with their legislative business, and are ready to adjourn sine die, if he had no further communication to make to them, have discharged that duty; and we are directed by his Excellency, to inform this General Assembly that he has no further communication to make to them, and that he wishes the members thereof health and happiness.

On motion by Mr. Edwards,

*Resolved*, That the Senate be informed that the House have gone through with the legislative business of the present session, and are now ready to adjourn sine die.

The Speaker then delivered the following address:

*Gentlemen of the House of Representatives:*

I shall detain you but for a few moments. At an hour like this, I could hardly expect to *win your ears* had I a flood of eloquence to pour upon them. The pressure of public responsibilities which has for weeks forced back the feelings and interests connected with your hearths and homes, is at last removed, and these feelings like the fountains just breaking from the thrall of winter, will now have way. A power mightier and fleetier than steam has already borne you far from the present scene.

It is the active and tangible around you, however imposing the array may have seemed a short time since, that is now to you the shadowy and indistinct. Your thoughts are all busy with the dearer visions of the home sanctuary. Let no man deem it necessary to his manhood to disclaim the *soft impeachment*. We all know it is round strong and manly hearts that the tender affections are most prone to fling their clasping and clustering tendrils. While we laugh at the sickly sentimentalists of romance, we rejoice to know that domestic love and trust, and all the sweet fireside influences that have found a name, are no poetic dreams. However the *trail of the serpent* has desecrated the plants of Eden in general, these have certainly escaped, and having been transplanted hither by some kind hand, still flourish among us from the Tropics to the Poles. They brighten and sanctify our humblest homes, making them a holy place; and I feel that at this moment to call back the thoughts and feelings which have flown thither, is something like hurrying the weary caravan from the green Oasis of the sandy desert. Nor would I now attempt it, had I no other impulse than that of a mere formal precedent. But blent with the pleasant anticipations which I have with yourselves, there are feelings associated with the past and present, that I may not wholly suppress. We are about to separate, and although many of us met as strangers, yet having been for weeks associated in a fellowship of earnest and anxious labor, our farewells cannot be those of utter indifference. What though our action has been that of conflict with each other, as well as co-operation; the combatants in the lists of olden chivalry, the spirit of which I hope still lingers among us, were often united by the closest bonds of friendship. Ruled as we necessarily have been by the one principle of fidelity to those we serve, surely nothing of bitterness ought at any time to have mingled with the tide of feeling that has borne us on. And if such in any instance has been unhappily the case, we trust some wayside leaf will yet be thrown upon the stream in a spirit that will give it the healing power of that which sweetened the waters of Marah. On life's shifting arena, all that have met here will meet no more. 'Tis a thought touching upon the sombre, but I have no intention of following out the train: I eschew all poetry but the bright and cheering.



I turn now from the idea of our impending separation, to the far more pleasant recollection of all those kindly offices which have been to the dusty atmosphere of legislative strife, as "the silver lining to the cloud." Those are remembrances that we shall all treasure up. The excitement of conflict, its brief triumphs and petty humiliations will soon have passed away, but the pleasant social intercourse, the friendly offices, the ready support—these we shall bear long in our memory. Of these daily evidences of disinterested kindness, I feel, perhaps because I have been most in need, I have been more than an equal sharer. I am not *apt at thanks*, and I can only say that but for the sustaining friendship and considerate forbearance which have been extended towards me, I must have frequently faltered in that fulfillment of my official duties you have so richly guerdoned by your approval.

To what we have accomplished or left undone, I will not attempt to advert. Would we could say in looking back upon our labors—and I speak it not irreverently—would we could say as has been said of the Divine Architect, when he closed his six days' labor—"He saw it and it was good." It is enough for us, however, to know that we have aimed at the right, that we have toiled honestly and earnestly, though we have been able to touch upon but a few of the prominent points in the great chart of legislative action, and may have erred in these, in giving direction to the high interests that like our rivers shall roll on, carrying their results into far future; human ken is all too short to determine how far that course may be free from shoals and breakers.

The issue, to use an expression that has lost nothing of its solemnity by repetition, is with Him in whose hands is the fate of nations, and though the approbation of those for whom we labor, can never be a matter of indifference to a rightly constituted mind, yet the peace of an approving conscience is a bosom guest that no extraneous reprehension can dislodge. With this sustaining reflection, return we to our homes, to find I trust, that the incense of the altar flame has been kept there burning in our absence, as religiously as the fire of the Persian Magi.

I entered upon the discharge of my duties, under the most fearful apprehensions—grateful it is true, for the honor, but fully conscious of the responsibilities of my station. I knew it would not do to rely upon "my own worth and merit," for I was totally without experience, having never before presided over a deliberative body for a single instant. I knew I must occasionally mingle in fierce conflict, for I had constituents to represent, who had confided to me important trusts. I knew that I could not suffer my own elevation to work injury to them, that I must not remain in the Chair, when their interests required me to be upon the floor; and I knew that these things might engender strife and result in unkind feelings. Considerations like these pressed themselves on my mind. I have now weathered the storm—can see the beginning of the end. In a

moment the shackles that have bound us will be broken forever. My course has been commended by a resolution unanimously adopted—a resolution filling my heart with the most grateful emotions, and now the best item in the catalogue, is that there is no time left me to forfeit your good opinion before we separate. I feel no remorse in recurring to the past, for in the discharge of my official duties, I have intentionally wronged no man upon this floor, and my conscience will not upbraid me for unintentional errors I may have committed. Though I have committed many blunders, still I have been a fortunate man, for if there was enough of human frailty in me to err, there has been enough of divinity in you to forgive. *I forgive too*; though in doing so, I make no great manifestation of magnanimity. Few, indeed, is the number that have given me the slightest cause of complaint, and I take this occasion to declare that in my bosom there is neither hatred nor malice towards any *gentleman* upon this floor. Friendship is a jewel of too much value to be surrendered for a trifling consideration, for it makes the rugged path of life a pleasant one. I have shared largely its advantages during the present session, and trust that I shall never forget or be forgotten by those who have laid me under so many obligations. Need I promise to cherish those grateful recollections to the remotest period of my life; I could not do otherwise if I would, and would not if I could. And now, gentlemen, to bring this short speech to a close, be pleased to accept with a final farewell, my warmest wishes, that the choicest blessings may attend you through life, and that you may be ever found earnestly laboring to build up the tower of Indiana's greatness and glory; not like the tower of Babel, to commemorate the wickedness and divisions of our race, and to call down the malediction of Heaven upon its builders, but to remain to all generations, a temple of liberty and concord. Where the children of men may meet in freedom and love, and on whose star-capped dome, the smile of divine favor may rest forever. I declare this House adjourned "*sine die*."

WILLIAM R. BOWES,

*Principal Clerk H. of Representatives.*

CHARLES N. SHOOK,

*Assistant Clerk H. of Representatives.*

## QUESTION OF ORDER.

DECIDED AT THE THIRTY-FIFTH SESSION OF THE GENERAL ASSEMBLY  
OF THE STATE OF INDIANA,

By E. DUMONT, *of Dearborn, Speaker.*

*Feb. 5, 1851.*—Senate bill No. 126 was under consideration.

Mr. Riley moved to indefinitely postpone the bill.

The ayes and noes being demanded by two members, the gentleman from Marion (Mr. Coburn) being called to vote, arose and was making some remarks in explanation, when the gentleman from Shelby (Mr. Brown) called the gentleman from Marion to order.

The Speaker having decided that on a motion to indefinitely postpone a bill, the ayes and noes having been moved and seconded, and the Clerk proceeded with the call by calling several members, any member had a right, when his name was called, to discuss the general merits of the bill, and in that case that the Clerk should commence the call anew; the member from Jefferson (Mr. Chapman) appealed from the decision of the chair.

The question being put, Shall the decision of the chair stand as the judgment of the House? it was decided in the affirmative.

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NEW YORK: THE UNIVERSITY OF THE STATE OF NEW YORK, 1961

Figure 1. The effect of the concentration of the polymer on the gelation time.

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| 2              | A bill changing the time of holding courts in the 8th judicial circuit,.....                                                                                                                                                  | 21                 |                                        | 21                   | 80                    |                           | 230              |
| 3              | A bill for the relief of John Henry Gerke and Frederick Myers,.....                                                                                                                                                           | 21                 | 64                                     | 64                   | 160                   | 176                       | 263              |
| 4              | A bill authorizing the Terre Haute and Richmond Railroad Company to issue bonds for the sole purpose of borrowing money to complete said road, and to secure their repayment by mortgaging the property of said company,..... | 49                 |                                        | 49                   | 93                    | 122 to 127, 146,          |                  |
| 5              | A bill to incorporate the town of Vernon in Jennings county,.....                                                                                                                                                             | 49                 | 71, 72,                                |                      | 135                   |                           | 281              |
| 6              | A bill in relation to the assessment and collection of a specific road tax in Deer Creek township, Cass county,.....                                                                                                          | 50                 | 64                                     | 79                   | 112                   |                           | 151              |

|    |                                                                                                                                             |    |                        |     |     |     |
|----|---------------------------------------------------------------------------------------------------------------------------------------------|----|------------------------|-----|-----|-----|
| 7  | A bill for the relief of the inhabitants of congressional township No. 25, north of range No. 2 east, in Cass county,.....                  | 50 | 64                     | 79  | 112 | 151 |
| 8  | A bill to provide for the election of supervisors by districts in the counties of Wells, Allen, Noble and Steuben,.....                     | 50 | 64, 66, 149, 218, 252, | 252 | 379 | 471 |
| 9  | A bill relating to the board of commissioners of Knox county,.....                                                                          | 50 | 282                    |     |     |     |
| 10 | A bill to authorize the appointment of a guardian of the person and estate of the person therein named, and for other purposes,....         | 58 |                        | 58  | 69  | 115 |
| 11 | A bill requiring the Secretary of State to issue a patent to Daniel R. Smith, for a tract therein named,.....                               | 63 | 79                     | 88  | 465 | 544 |
| 12 | A bill to amend section 11, chap. 56, of the Revised Statutes of 1843, authorizing coroners to pay the expenses of inquest and burial,..... | 63 | 79, 335,               | 360 | 610 | 732 |
| 13 | A bill to incorporate the Bluffton, Camden, and Winchester Plank Road Company,....                                                          | 63 | 79, 186, 231,          | 231 | 342 | 470 |
| 14 | A bill defining the duties of the county treasurer of Pike county,.....                                                                     | 63 | 79, 80, 219, 252,      | 252 | 379 | 470 |
| 15 | A bill to incorporate the Laporte Male and Female Seminary,.....                                                                            | 63 | 80, 264,               | 289 | 408 | 544 |
| 16 | A bill to legalize the election of Samuel Griesinger to the office of treasurer of Elkhart county, .....                                    | 64 |                        | 64  | 93  | 151 |
| 17 | A bill to repeal an act therein named,.....                                                                                                 | 64 | 80                     | 89  | 312 | 376 |

# BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

802

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                                                                             | <i>Introduced.</i> | <i>Proceedings before<br/>Passage.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------------|----------------------|-----------------------|---------------------------|------------------|
| 18             | A bill to repeal an act entitled "an act fixing the salary of the auditor of the county of Owen," .....                                                                                   | 66                 |                                        | 89                   | 426                   | 426                       | 543              |
| 19             | A bill to change the name of Melissa Jane Gillespie to that of Melissa Jane Blair, .....                                                                                                  | 66                 |                                        | 66                   | 109                   |                           | 151              |
| 20             | A bill to abolish the office of school commissioner and county agent in Brown county, .....                                                                                               | 67                 | 80, 100, 101, 104,                     | 143                  | 184                   |                           | 264              |
| 21             | A bill to repeal an act to give further time to assessors, approved Jan. 15, 1844, and all laws contravening the provisions of sec. 28 of chap. 12 of the Revised Statutes of 1843, ..... | 72                 |                                        | 72                   | 135                   | 152                       |                  |
| 22             | A bill to locate a state road in the counties of Kosciusko and Wabash, .....                                                                                                              | 74                 |                                        | 89                   | 160                   |                           | 264              |
| 23             | A bill to repeal an act to authorize the commissioners of Fountain county to vacate a certain street in the town of Rob Roy, Fountain county, .....                                       | 74                 | 74                                     | 89                   | 160                   |                           | 264              |

|    |                                                                                                                                                    |    |                         |     |     |           |     |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------|----|-------------------------|-----|-----|-----------|-----|
| 24 | A bill to amend the charter of the Evansville and Illinois Railroad Company,.....                                                                  | 76 | 162, 178, 179,          | 162 | 179 | 481, 537, | 662 |
| 25 | A bill to open an alley in the town of Perysville in the county of Vermillion,.....                                                                | 76 |                         | 89  | 160 |           | 264 |
| 26 | A bill to revise the 61st section of an act entitled "an act to establish a certain state road therein named, and for other purposes,"             | 76 |                         | 89  | 160 |           | 264 |
| 27 | A bill to repeal an act entitled "an act relative to overseers of the poor," approved Jan. 15, 1844, so far as relates to the county of Clay,..... | 76 | 89                      | 90  | 160 |           | 264 |
| 28 | A bill to revive a certain act therein named,                                                                                                      | 77 |                         | 90  | 185 |           | 230 |
| 29 | A bill to repeal an act therein named,.....                                                                                                        | 77 | 90                      | 103 | 160 | 176, 571, | 733 |
| 30 | A bill defining the duties of the county treasurer of Lake county,.....                                                                            | 77 | 89, 101,                | 104 | 135 |           | 230 |
| 31 | A bill relative to the Laporte and Plymouth Plank Road Company,.....                                                                               | 77 | 90, 221, 252, 299, 300, | 329 | 488 |           | 587 |
| 32 | A bill to repeal section 148, chap. 5, Revised Statutes of 1843,.....                                                                              | 77 | 149                     | 166 |     |           |     |
| 33 | A bill to authorize county auditors to appoint deputies,.....                                                                                      | 79 | 90                      | 104 | 277 |           | 376 |
| 34 | A bill to extend the powers of the Lawrenceburgh and Upper Mississippi Railroad Company,.....                                                      | 81 | 136                     | 136 | 205 | 205       |     |
| 35 | A bill to incorporate the Cincinnati and Indianapolis Railroad Company,.....                                                                       | 81 | 221, 327, 368,          |     |     |           |     |
| 36 | A bill to extend the time of holding courts in the county of Tipton,.....                                                                          | 82 | 90                      | 90  | 702 |           | 778 |

# BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                                         | <i>Introduced.</i> | <i>Proceedings before Passage.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|------------------------------------|----------------------|-----------------------|---------------------------|------------------|
| 37             | A bill to authorize the board of commissioners of the county of Morgan to make additional allowances to the auditor of said county, .....             | 83                 |                                    | 90                   | 168                   |                           | 264              |
| 38             | A bill to repeal an act to restrict the grand jury in Franklin county in their sessions, approved Jan. 15, 1850, .....                                | 83                 |                                    | 83                   | 168                   |                           | 263              |
| 39             | A bill to change the name of Morris Stanley Nevins to Morris Stanley Warner, .....                                                                    | 83                 | 223                                |                      |                       |                           |                  |
| 40             | A bill to incorporate the Athenian Society of the Indiana University, .....                                                                           | 87                 | 104                                | 143                  | 198                   |                           | 310              |
| 41             | A bill to authorize the auditor of Clinton county to make to John Mohn a certificate of the purchase of a certain tract of land in said county, ..... | 87                 | 104                                | 143                  | 185                   |                           | 230              |
| 42             | A bill to legalize the election of county commissioners of the county of Owen, .....                                                                  | 88                 | 104                                | 143                  | 244                   |                           | 310              |



|    |                                                                                                                                                                     |     |                                   |     |     |     |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----------------------------------|-----|-----|-----|
| 43 | A bill to require venders of medicine to procure license in Pike county,.....                                                                                       | 88  | 104, 150, 238,                    | 238 |     |     |
| 44 | A bill to extend the provisions of an act therein named to the 11th judicial circuit, and for other purposes,.....                                                  | 88  | 104, 216, 217,                    |     |     |     |
| 45 | A bill to amend section 100, chap. 12 of the Revised Statutes of 1843,.....                                                                                         | 88  | 104-5, 345,                       | 383 |     |     |
| 46 | A bill to prevent impositions in the sale of patent medicines,.....                                                                                                 | 88  | 105, 369, 370,                    |     |     |     |
| 47 | A bill relative to the election and appointment of constables,.....                                                                                                 | 96  | 105, 217, 252,                    | 252 |     |     |
| 48 | A joint resolution on the subject of the bounty lands, granted to certain officers and soldiers who were engaged in the military service of the United States,..... | 96  | { 105, 109-10, 143, 167,<br>186-7 |     |     |     |
| 49 | A bill regulating interest,.....                                                                                                                                    | 96  |                                   |     |     |     |
| 50 | A bill to repeal an act entitled "an act to incorporate the La Grange Phalanx," approved Jan. 13, 1845,.....                                                        | 102 | 144                               | 158 | 277 | 376 |
| 51 | A joint resolution recommending Congress to establish a line of steamers to aid in colonization,.....                                                               | 103 | 144, 158,                         |     |     |     |
| 52 | A bill to amend an act regulating the jurisdiction and duties of justices of the peace in the county of Dearborn,.....                                              | 103 | 144, 158, 171,                    | 207 | 277 | 376 |
| 53 | A bill to incorporate the Peru and Anderson-town Plank Road Company, .....                                                                                          | 103 | 144, 186, 231,                    | 231 | 342 | 543 |

# BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                                                                                        | <i>Introduced.</i> | <i>Proceedings before<br/>passage.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------------|----------------------|-----------------------|---------------------------|------------------|
| 54             | A bill to amend an act entitled an act to incorporate the Michigan Road Company, approved Jan. 13, 1845, and for other purposes,.....                                                                | 103                | 144, 170, 171                          | 196                  | 342                   |                           | 375              |
| 55             | A bill to amend an act entitled an act to reduce the law incorporating the city of Madison and the several acts amendatory thereto into one act, and to amend the same, approved Feb. 14, 1848,..... | 103                | 144, 158                               |                      |                       |                           |                  |
| 56             | A bill to authorize the sale of school section in town 5, range 3 west, in Perry county,                                                                                                             | 103                | 144                                    | 145                  | 291                   |                           | 376              |
| 57             | A bill to authorize the Auditor of State to pay over to the Treasurer of Ripley county certain funds therein named,.....                                                                             | 103                |                                        | 145                  | 194                   | 194                       | 310              |
| 58             | A bill to amend an act to exempt from taxation for corporation purposes certain land within the present limits of the city of                                                                        |                    |                                        |                      |                       |                           |                  |

|    |                                                                                                                                                                                                             |     |                    |     |     |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|--------------------|-----|-----|
| 59 | Lawrenceburgh, passed and approved 20th January, 1846,.....                                                                                                                                                 | 110 | 110                |     |     |
| 60 | A bill to amend sec. 17, chap. 35, of the Revised Statutes of 1843,.....                                                                                                                                    | 110 | 145, 217, 238, 239 |     | 662 |
| 61 | A bill relative to plank roads,.....                                                                                                                                                                        | 110 | 145, 222, 252      | 463 | 463 |
| 62 | A bill to amend an act entitled an act relative to the leveeing of the Wabash river on the Shaker Prairie, approved Jan. 14, 1846, and to repeal an act amendatory thereto, approved January 21, 1850,..... | 111 | 262                | 430 | 543 |
| 63 | A bill to abolish the office of superintendent of the work on the State Prison, and for other purposes,.....                                                                                                | 115 | 157                | 556 | 732 |
| 64 | A bill relative to the purchase of books made by the Governor for the use of the convicts in the State Prison, and for other purposes,.....                                                                 | 115 |                    | 198 | 376 |
| 65 | A bill to enable the inhabitants of school district No. 8, township 36, north range 3 west, in Laporte county, to levy a tax sufficient to build a school house,.....                                       | 115 | 157                | 244 | 376 |
| 66 | A joint resolution on the subject of appropriating money for the erection of a public building,.....                                                                                                        | 120 | 157, 261           | 612 | 733 |
| 67 | A bill for the benefit of common schools in Boone county,.....                                                                                                                                              | 120 | 157                | 429 | 543 |
|    | A bill to change the name of the town of Rochester, in Franklin county, to Cedar Grove,.....                                                                                                                | 121 |                    | 168 | 230 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

808

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                     | <i>Introduced.</i> | <i>Proceedings before<br/>Passage.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------------|----------------------|-----------------------|---------------------------|------------------|
| 68             | A bill to repeal an act therein named,.....                                                                                       | 121                | 157                                    | 166                  | 288                   |                           | 421              |
| 69             | A bill to reduce the fees of the Recorder of<br>the county of Brown,.....                                                         | 121                | 157                                    | 166                  | 206                   | 243                       | 376              |
| 70             | A bill to extend the terms of the February<br>and May terms of the Laporte Probate<br>Court,.....                                 | 121                |                                        | 121                  | 146                   |                           | 263              |
| 71             | A bill to amend an act entitled an act to in-<br>corporate the Western Plank Road Com-<br>pany, approved January 14, 1850,.....   | 121                | 158                                    | 166                  | 229                   | 229                       | 310              |
| 72             | A bill to amend sec. 27, chap. 7, of the Re-<br>vised Statutes of 1843, so far as relates to<br>the county of Greene,.....        | 121                | 158                                    | 166                  | 244                   |                           | 310              |
| 73             | A bill to amend an act entitled an act to in-<br>corporate the White county Monticello<br>Bridge Company, approved Jan. 15, 1850, | 121                | 158                                    | 166                  | 254                   |                           | 376              |
| 74             | A bill in relation to the sale of lands forfeited<br>to the State by borrowers of College and<br>other funds,.....                | 121                | 158, 326-7                             | 360                  | 673                   | 673                       | 779              |

|    |                                                                                                                                              |     |                      |     |         |     |
|----|----------------------------------------------------------------------------------------------------------------------------------------------|-----|----------------------|-----|---------|-----|
| 75 | A bill to repeal an act therein named so far as the same relates to the counties of Parke and Shelby,.....                                   | 121 | 158                  | 166 | 214     | 310 |
| 76 | A bill to vacate an alley in the town of Bloomington,.....                                                                                   | 121 | 220, 181             | 184 | 532     | 543 |
| 77 | A bill to vacate the town of Charleston, in Huntington county,.....                                                                          | 137 | 159                  | 166 | 241     | 310 |
| 78 | A joint resolution in relation to the bounty land-law of Congress of Sept. 28th, 1850,.....                                                  | 139 | 216, 252             | 252 | 312     | 470 |
| 79 | A joint resolution to authorize the Secretary of State to subscribe for a certain number of copies of the Indiana Reports,.....              | 139 | 513 to 521           |     |         |     |
| 80 | A bill to exempt from sale on execution the homestead of a householder having a family,.....                                                 | 139 | 207, 212, 239 to 242 |     |         |     |
| 81 | A bill to amend an act entitled an act to incorporate the Fort Wayne and Bluffton Turnpike Company, approved January 16, 1849,.....          | 139 | 192, 231             | 231 |         |     |
| 82 | A bill to amend sec. 13 of an act to increase and extend the benefits of common schools in the county of Noble, and for other purposes,..... | 139 |                      | 158 | 312 312 | 421 |
| 83 | A bill to provide for the return of the vote on the school law to the office of the Secretary of State,.....                                 | 140 |                      | 140 | 160     | 230 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                            | <i>Introduced.</i> | <i>Proceedings before<br/>passage.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------------|----------------------|-----------------------|---------------------------|------------------|
| 84             | A bill to provide for the election of township assessors in the counties of Daviess and Martin, .....                                    | 140                | 345, 728                               | 728                  |                       |                           |                  |
| 85             | A bill for the relief of township clerks in the county of Posey, .....                                                                   | 140                | 159                                    | 159                  | 194                   | 194, 196                  | 310              |
| 86             | A bill to authorize Cyrus Taber and Allen Hamilton to build a mill dam across the Wabash river, in Cass county, .....                    | 140                | 159                                    | 159                  | 570                   | 571                       | 733              |
| 87             | A bill to provide for the election of supervisors by districts, .....                                                                    | 140                |                                        |                      |                       |                           |                  |
| 88             | A bill to amend sections 302, 303, and 304 of article 13, chapter 47, of the Revised Statutes of 1843, .....                             | 141                | 256-7, 289                             | 290                  | 465                   |                           | 543              |
| 89             | A bill to authorize John Warren to file a bill in chancery in the Tipton circuit court, ..                                               | 141                | 215, 728                               | 729                  | 738                   |                           | 785              |
| 90             | A bill to enable the qualified voters of school district No. 7, township 36, range 3 west, in Laporte county, to levy a tax in said dis- |                    |                                        |                      |                       |                           |                  |

|    |                                                                                                                                                                                                                              |     |     |     |     |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|
| 91 | trict, for the purpose of building a school house, .....                                                                                                                                                                     | 142 | 159 | 291 | 421 |
|    | A bill to correct a misprint and supply an omission in an act entitled "an act directing the Secretary of State to make a patent to James Hensley, for certain Wabash and Erie Canal lands, approved January 31, 1850, ..... | 142 | 142 | 185 | 230 |
| 92 | A joint resolution giving the right of purchase to the United States, of a site for the erection of a Marine Hospital at Evansville, ..                                                                                      | 142 | 142 | 255 | 376 |
| 93 | A bill to authorize the prosecuting attorney of Porter county to prosecute divorce cases in the circuit court, .....                                                                                                         | 142 |     |     |     |
| 94 | A bill in relation to the service of writs of summonses in actions of law and subpoenas in chancery, .....                                                                                                                   | 148 | 196 |     |     |
| 95 | A bill authorizing the location of a State road from Hartford, in Blackford county, through New Cumberland, in Grant county, to Kokomo, in Howard county, .....                                                              | 149 | 207 | 357 | 470 |
| 96 | A bill to amend the 65th and 66th sections of the 38th chapter of the Revised Statutes, ..                                                                                                                                   | 151 |     |     |     |
| 97 | A bill relative to the practice of law, .....                                                                                                                                                                                | 151 | 253 | 465 | 544 |
| 98 | A bill relative to the fire companies of Indianapolis, .....                                                                                                                                                                 | 164 |     |     |     |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

| Number. | TITLE.                                                                                                                                                                                                                                                 | Introduced. | Proceedings before passage. | Passed House. | Passed Senate. | Other Proceedings. | Approved. |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------------------------|---------------|----------------|--------------------|-----------|
| 99      | A bill to extend the provisions of the 56th section, chapter 38, of the Revised Statutes of 1843, so as to embrace within its provisions, all persons entitled to pensions and bounty lands, extra pay or arrears of pay and for other purposes, ..... | 167         | 179                         | 196           |                |                    |           |
| 100     | A bill requiring supervisors to settle with the township trustees in the county of Wells, .....                                                                                                                                                        | 168         |                             | 179           | 244            |                    | 251       |
| 101     | A bill to amend an act to incorporate certain turnpike companies therein named, approved January 29, 1839, .....                                                                                                                                       | 168         |                             | 179           | 254            |                    | 376       |
| 102     | A bill to locate a State road on the line dividing Bartholomew and Decatur counties, .....                                                                                                                                                             | 172         |                             | 172           | 277            |                    |           |
| 103     | Preamble and joint resolution relative to the three per cent. fund, .....                                                                                                                                                                              | 72          | 208, 238                    | 238           |                |                    |           |
| 104     | A bill to amend an act entitled "an act changing the mode of doing county business in                                                                                                                                                                  |             |                             |               |                |                    |           |



|     |                                                                                                                                                                                                                             |     |                    |     |     |     |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|--------------------|-----|-----|-----|
|     | the county of Crawford, approved January 18, 1850,.....                                                                                                                                                                     | 173 | 208, 231, 267-8    | 290 | 367 | 470 |
| 105 | A bill to exempt certain property belonging to the city of Evansville from taxation,.....                                                                                                                                   | 173 | 173, 222, 223, 335 |     |     |     |
| 106 | A bill to amend an act entitled "an act to incorporate the Greensborough and Brookville Turnpike Company, approved January 15, 1849,.....                                                                                   | 173 | 208                | 208 | 408 | 543 |
| 107 | A bill in relation to the election of prosecuting attorneys,.....                                                                                                                                                           | 173 | 208, 203, 258-9    | 290 | 570 | 571 |
| 108 | A bill for the relief of the recorder of Franklin county,.....                                                                                                                                                              | 173 | 209                | 209 | 379 | 470 |
| 109 | A bill to vacate part of Water street, in the town of Williamsport, in the county of Warren,.....                                                                                                                           | 173 |                    | 173 | 251 | 376 |
| 110 | A bill to amend article 4, of chapter 45, of the Revised Code of 1843, on the subject of partition,.....                                                                                                                    | 173 | 499, 500, 575      | 608 |     |     |
| 111 | A bill amendatory of the act incorporating the townships of Dearborn county, so as to authorize the board of County Commissioners of said county to establish additional election precincts if they deem it expedient,..... | 173 | 209, 238           | 238 | 356 | 470 |
| 111 | A bill regulating the time of holding courts in the tenth Judicial Circuit,.....                                                                                                                                            | 173 | 174, 332           |     |     |     |
| 112 | A bill to repeal an act entitled an act to amend the railroad law in Jefferson county                                                                                                                                       | 180 | 209                | 211 | 277 | 470 |

# BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                                                                                                                                                                                                                                                          | <i>Introduced.</i> | <i>Proceedings before<br/>Passage.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------------|----------------------|-----------------------|---------------------------|------------------|
| 114            | A bill to regulate the practice of law in the 12th Judicial Circuit,.....                                                                                                                                                                                                                                                                                              | 180                |                                        |                      |                       |                           |                  |
| 115            | A bill to regulate the issuing of executions and fee bills in the several courts in the county of Marion, where judgments have stood three years from the date of the rendition thereof without execution being issued thereon, and where costs have stood three years from the taxation thereof, without fee bills having issued for the collection of the same,..... | 180                | 397                                    |                      |                       |                           |                  |
| 116            | A bill extending the time of holding the Probate Court in the county of Carroll,...                                                                                                                                                                                                                                                                                    | 181                |                                        | 181                  | 198                   |                           | 310              |
| 117            | A bill to reduce the fees of the Recorder of Greene county,.....                                                                                                                                                                                                                                                                                                       | 181                | 231                                    | 253                  |                       |                           |                  |
| 118            | A bill describing the boundaries of Blackford county,.....                                                                                                                                                                                                                                                                                                             | 184                | 268, 478, 578, 608, 681                |                      |                       |                           |                  |
| 119            | A joint resolution of the General Assembly                                                                                                                                                                                                                                                                                                                             |                    |                                        |                      |                       |                           |                  |

|     |                                                                                                                                                                                                                                                  |     |                        |         |     |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------------------|---------|-----|
| 120 | of the State of Indiana, relative to the improvement of the Falls of the Ohio River, A bill to amend an act entitled an act to authorize Jane Bushnell Jenks to hold and convey real estate, approved Jan. 16, 1849,                             | 188 | 231                    | 231     |     |
| 121 | A bill to amend an act entitled an act to provide for the call of a Convention of the people of the State of Indiana to revise, amend, or alter the Constitution of said State, approved January 18, 1850,.....                                  | 189 | 261                    |         |     |
| 122 | A bill exempting from taxation certain lands therein named for the term of five years from and after the date of their entry,....                                                                                                                | 189 | 190-1, 243, 251-2, 335 |         |     |
| 123 | A bill authorizing the president and trustees of the town of Lafayette to purchase and hold real estate,.....                                                                                                                                    | 192 | 233, 280-1             | 253 342 | 543 |
| 124 | A bill to incorporate the Vanderburgh Manufacturing Company,.....                                                                                                                                                                                | 192 | 232                    | 329 532 | 733 |
| 125 | A bill to enable persons sustaining damages occasioned by the construction of the Wabash and Erie Canal to have their damages assessed without further delay, and for the more convenient service of process on the trustees of said Canal,..... | 193 | 193, 263, 329          |         |     |
| 126 | A bill to amend an act entitled an act to incorporate the Terre Haute Draw Bridge Company, approved Jan. 13, 1845,.....                                                                                                                          | 193 | 473, 549               | 549 731 | 778 |
|     |                                                                                                                                                                                                                                                  | 204 | 251                    | 273 532 | 662 |

# BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                                                      | <i>Introduced.</i> | <i>Proceedings before<br/>passage.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------------|----------------------|-----------------------|---------------------------|------------------|
| 127            | A bill to amend an act to incorporate the Madison County Hydraulic Company,...                                                                                     | 204                | 251                                    | 273                  | 408                   |                           | 543              |
| 128            | A bill to amend an act to declare certain water courses in the counties of Perry and Spencer public highways, and for other purposes, approved Feb. 17, 1850,..... | 204                | 251                                    | 251                  | 362                   |                           | 543              |
| 129            | A bill to amend an act to assess and collect the county revenue,.....                                                                                              | 204                | 334, 335                               |                      |                       |                           |                  |
| 130            | A bill to compel a license to be paid by the vender of patent or secret medicines,...                                                                              | 205                | 251, 269, 291-1                        |                      |                       |                           |                  |
| 131            | A bill authorizing County Auditors to charge a fee for the acknowledgment of deeds,...                                                                             | 205                | 251, 333                               |                      |                       |                           |                  |
| 132            | A bill to vacate part of the road leading from Harrison to Indianapolis,.....                                                                                      | 205                | 251, 298                               | 329                  | 408                   |                           | 543              |
| 133            | A bill to extend the Martinsville and Franklin Railroad, via Spencer, in Owen county, to the Wabash and Erie Canal,.....                                           | 211                | 525                                    | 526                  | 673                   |                           | 785              |
| 134            | A bill for the relief of the borrowers of the                                                                                                                      |                    |                                        |                      |                       |                           |                  |

|       |                                                                                                                                                   |     |                  |     |     |  |  |     |     |
|-------|---------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------------|-----|-----|--|--|-----|-----|
| 135   | sinking fund, surplus revenue, and other funds,.....                                                                                              | 211 | 251, 252, 346,   |     |     |  |  |     |     |
| 80    | A bill to incorporate the Mullican Mill and Junction Plank or Clay Turnpike Company,.....                                                         | 223 | 285              | 286 | 556 |  |  | 732 |     |
| 136   | A bill to change the name of persons therein named,.....                                                                                          | 223 | 253, 273,        | 273 | 362 |  |  | 543 |     |
| H 137 | A bill to repeal an act entitled an act to locate a State road in the counties of Decatur, Jennings, and Bartholomew, approved June 5, 1842,..... | 224 | 253              | 273 |     |  |  |     |     |
| 138   | A bill to locate a state road in the counties of Pulaski, Starke and Laporte,.....                                                                | 224 | 253              | 274 | 362 |  |  | 543 |     |
| 139   | A bill to locate a state road from Strawtown, Hamilton county, to Jerome, Howard co..                                                             | 224 | 253              | 274 | 488 |  |  | 587 |     |
| 140   | A bill to legalize the acts of the Henry county Turnpike Company, and for other purposes, .....                                                   | 225 | 253              | 274 | 430 |  |  | 543 |     |
| 141   | A bill to amend an act to incorporate the Logansport and Rochester Michigan Road Company, approved Jan. 15, 1846,.....                            | 226 | 327-8, 455, 485, | 485 | 556 |  |  | 732 |     |
| 142   | A bill to regulate the sale of spirituous liquors in Jackson county,.....                                                                         | 226 | 253              | 274 | 778 |  |  | 785 |     |
| 143   | A bill to amend the practice at law and chancery, .....                                                                                           | 227 | 257              |     |     |  |  |     |     |
| 144   | A bill to change the time of holding the February term of the Crawford Probate court,                                                             | 227 |                  | 253 | 342 |  |  |     | 375 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES.—Continued.

| <i>Number.</i> | <i>TITLE.</i>                                                                                                            | <i>Introduced.</i> | <i>Proceedings before<br/>Passage.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|--------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------------|----------------------|-----------------------|---------------------------|------------------|
| 145            | A bill to provide for the election of county commissioners in the counties of Perry and Dubois, .....                    | 227                |                                        |                      |                       |                           |                  |
| 146            | A bill to incorporate the Connersville and Milton Turnpike Company, .....                                                | 227                | 351                                    | 383                  | 537                   |                           | 775              |
| 147            | A bill to incorporate the Newport and Winchester Plank Road Company, .....                                               | 227                | 311                                    | 329                  | 532                   |                           | 710              |
| 148            | A bill to change the name of Mount Wallaston in White county, to Norway, .....                                           | 227                | 253                                    | 254                  | 342                   |                           | 470              |
| 149            | A bill to authorize Lloyd Brown and Eli Brown to erect and maintain a mill dam across White river, in Madison county, .. | 227                | 254                                    | 274                  | 362                   |                           | 543              |
| 150            | A bill to amend article 1, and section 13 of the Revised Statutes of 1843, .....                                         | 227                | 282                                    |                      |                       |                           |                  |
| 151            | A bill to amend the charter of the town of Terre Haute, .....                                                            | 228                | 299, 329, 475,                         | 476                  | 707                   |                           | 776              |
| 152            | A bill to amend an act entitled "an act to incorporate the Lake Michigan, Logansport                                     |                    |                                        |                      |                       |                           |                  |

|     |                                                                                                                                                                                                      |     |                                                                                          |     |     |                    |     |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------------------------------------------------------------------------------------|-----|-----|--------------------|-----|
| 153 | and Ohio Railroad Company," enacted by the General Assembly in February, 1848.                                                                                                                       | 228 | 410, 504, 505, 506,                                                                      | 523 | 570 | 571                | 732 |
| 154 | A bill for the relief of Dempsey Linton, . . . . .                                                                                                                                                   | 235 | 236, 336, 425, 528,                                                                      | 528 | 610 |                    |     |
| 155 | A joint resolution relative to the Governor's Circle, . . . . .                                                                                                                                      | 237 | 254, 372, 373,                                                                           |     |     |                    |     |
| 156 | A bill to revive and extend the provisions of an act to incorporate the town of Anderson, approved Feb. 17, 1849, . . . . .                                                                          | 237 | 254                                                                                      | 274 | 362 |                    | 470 |
| 157 | A bill to amend an act entitled "an act to incorporate the Ohio and Mississippi Railroad Company," approved Jan. 15, 1849, so far as relates to the county of Davies, . . . . .                      | 237 | 256, 319,                                                                                | 319 | 621 | 621, 741, 743, 773 |     |
| 158 | A bill to extend the time of the sessions of the board of commissioners of Wayne county, . . . . .                                                                                                   | 237 |                                                                                          | 237 | 342 |                    | 543 |
| 159 | A bill to repeal an act therein named, . . . . .                                                                                                                                                     | 237 | 238, 254, 274, 599,                                                                      | 682 |     |                    |     |
| 160 | A bill for the relief of George Coit, . . . . .                                                                                                                                                      | 238 | 254, 338, 361,                                                                           | 361 | 430 |                    | 543 |
| 161 | A bill for the more effectual, just and equal assessment and valuation of real estate, personal property, moneys, rights, credits, effects, and corporation stock in the State of Indiana, . . . . . | 245 | { 246, 348, 363, 364,<br>365, 385, 399 to 403,<br>405 to 408, 425-6,<br>449 to 451, 545, | 545 | 706 | 706, 712, 713, 729 | 785 |
| 162 | A bill authorizing the sale of section 16, township 24, north of range 12 east, in Jay and Blackford counties, . . . . .                                                                             | 247 | 275                                                                                      | 319 | 488 |                    | 587 |
| 163 | A bill in relation to the South Bend and Plymouth Plank Road Company, . . . . .                                                                                                                      | 247 | 275                                                                                      | 319 | 488 |                    | 587 |
| 164 | A bill to incorporate the Pittsburgh and Crawfordsville Plank Road Company, . . . . .                                                                                                                | 247 | 350                                                                                      | 350 | 463 | 463                | 587 |

# BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES.

820

| <i>Number.</i> | <i>TITLE.</i>                                                                                                               | <i>Introduced.</i> | <i>Proceedings before<br/>Passage.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|-----------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------------|----------------------|-----------------------|---------------------------|------------------|
| 164            | A bill relating to recording deeds in Laporte county, .....                                                                 | 247                | 275                                    | 319                  | 408                   |                           | 543              |
| 165            | A bill to amend chapter 7, article 1 of the Revised Code, .....                                                             | 247                | 275                                    | 319                  | 606                   | 606                       |                  |
| 166            | A bill to reduce the fees of the clerk of the Probate Court of Knox county, .....                                           | 248                |                                        | 353                  |                       |                           | 784              |
| 167            | A bill to repeal section 66 of article 5, chapter 12, of the revised laws of 1843, and for other purposes, .....            | 248                | 339, 340, 728,                         |                      |                       |                           |                  |
| 168            | A bill to authorize the Lafayette Insurance Company to increase their capital stock, ..                                     | 248                | 275, 399,                              | 436                  | 556                   |                           | 709              |
| 169            | A bill to secure the return of executions issued by justices of the peace, .....                                            | 248                | 275, 398,                              |                      |                       |                           |                  |
| 170            | A bill declaring a certain county road a state road, .....                                                                  | 248                | 275, 298-9,                            | 319                  | 408                   |                           | 543              |
| 171            | A bill to amend an act entitled "an act to incorporate the Logansport and Wabash Bridge Company," approved Feb. 7, 1835, .. | 248                | 275, 356,                              | 383                  |                       |                           |                  |





BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                     | <i>Introduced.</i> | <i>Proceedings before passage.</i> |  | <i>Passed House.</i> | <i>Passed House.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------|--------------------|------------------------------------|--|----------------------|----------------------|---------------------------|------------------|
| 183            | A bill for the relief of persons who are likely to suffer by the destruction of the records of Sullivan county,.....              | 271                | 302                                |  | 302                  | 367                  |                           | 471              |
| 184            | A bill to change the name of Shadrach Anderson to that of William Johnson,.....                                                   | 272                | 322                                |  | 323                  | 367                  |                           | 470              |
| 185            | A bill to amend the charter of the Junction Railroad Company,.....                                                                | 272                | 323, 415-'16, 590, 591             |  |                      |                      |                           |                  |
| 186            | A bill defining the boundary of Laporte, Porter, and Lake counties,.....                                                          | 272                | 323                                |  | 380                  | 556                  |                           | 609              |
| 187            | A bill to enable the citizens of Orange township, Fayette county, to elect an additional Justice of the Peace,.....               | 272                | 453, 485                           |  | 485                  | 532                  |                           | 662              |
| 188            | A bill to repeal part of the 31st section of an act to increase and extend the benefits of common schools,.....                   | 273                | 323                                |  | 380                  | 606                  | 606                       | 778              |
| 189            | A bill to regulate the summoning of minor heirs in all cases, in courts of chancery, and in courts of probate, in this State,.... | 273                | 323, 500                           |  |                      |                      |                           |                  |

|     |                                                                                                                                                                                                                                                    |     |                         |     |     |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-------------------------|-----|-----|
| 190 | A bill to amend article I, section 25, of the Revised Statutes of 1843, so far as relates to the town of Princeton, in Gibson county,                                                                                                              | 273 | 323, 414                | 465 |     |
| 191 | A bill to regulate the mileage of sheriffs and county treasurers,.....                                                                                                                                                                             | 277 | 277-'8                  |     | 709 |
| 192 | A bill for the relief of widows, .....                                                                                                                                                                                                             | 278 | 323, 324, 594, 595, 596 |     | 732 |
| 193 | A bill to authorize the election of a county surveyor in Greene county,.....                                                                                                                                                                       | 278 | 399                     | 436 | 556 |
| 194 | A bill to locate a State road in Allen county,                                                                                                                                                                                                     | 284 | 324                     | 380 | 532 |
| 195 | A bill declaring Flat Creek, in Pike and Dubois counties, a public highway,.....                                                                                                                                                                   | 284 |                         | 329 | 408 |
| 196 | A bill declaring Hall's Creek a public highway, in Dubois county, .....                                                                                                                                                                            | 284 | 301                     | 329 |     |
| 197 | A bill to regulate the taking of toll at Water grist mills, .....                                                                                                                                                                                  | 284 | 337, 561                |     |     |
| 198 | A bill for the benefit of the Union Plank Road Company, and the Michigan City and South Bend Plank Road Company in LaPorte county,.....                                                                                                            | 284 | 475                     | 475 | 532 |
| 199 | A bill in relation to the interest on money, ..                                                                                                                                                                                                    | 284 | 324-'5                  |     | 662 |
| 200 | A joint resolution on the subject of the Michigan City Harbor, .....                                                                                                                                                                               | 286 |                         | 286 | 421 |
| 201 | A bill to amend an act entitled "an act to increase and extend the benefits of common schools," approved January 17, 1849, and an act declaring said act in force, approved Jan. 19, 1850, so far as the same relates to the county of Vigo, ..... | 286 | 325                     | 325 | 587 |
|     |                                                                                                                                                                                                                                                    |     |                         | 463 | 463 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

| Number. | TITLE.                                                                                                                                                                        | Introduced. | Proceedings before<br>Passage. | Passed House. | Passed Senate. | Other Proceedings. | Approved. |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------------------|---------------|----------------|--------------------|-----------|
| 202     | A bill to authorize the assessment and collection of a specific tax for road purposes in the county of Marshall, . . . . .                                                    | 287         | 324                            | 324           | 408            |                    | 542       |
| 203     | A bill for the protection of married ladies and their families, . . . . .                                                                                                     | 292         | 345                            |               |                |                    |           |
| 204     | A bill to incorporate the Washington and Maysville Plank Road Company in the county of Daviess, . . . . .                                                                     | 292         | 416                            | 416           | 571            | 571                | 732       |
| 205     | A bill to amend an act therein named, . . . . .                                                                                                                               | 296         | 330                            |               |                |                    |           |
| 206     | A bill to incorporate the town of Hope in Bartholomew county, . . . . .                                                                                                       | 300         | 329                            | 329           | 408            |                    | 544       |
| 207     | A bill regulating the license of traveling peddlers in the county of Dearborn, . . . . .                                                                                      | 301         | 330, 669                       | 669           | 737            |                    | 778       |
| 208     | A bill to amend an act entitled "an act to compel speculators to pay a tax equal to that paid by actual settlers in the county of La Grange," approved Jan. 21, 1850, . . . . | 301         | 330                            | 380           | 532            |                    | 709       |

|     |                                                                                                                                                                                                                                          |     |               |     |     |     |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|---------------|-----|-----|-----|
| 209 | A bill providing for the sale of the school section in town. 8, range 4 west, lying in the county of White, .....                                                                                                                        | 302 | 330           | 380 | 532 | 662 |
| 210 | A bill to enable the Board of Commissioners of Lake county to build and finish a court-house and jail, .....                                                                                                                             | 302 |               |     |     | 543 |
| 211 | A bill to amend an act entitled "an act to incorporate the town of Newbern, in Bartholomew county," approved Jan. 14, 1850, .....                                                                                                        | 302 |               | 380 | 532 | 709 |
| 212 | A bill to provide for the surrender of all contracts of lease given by the State on the Northern Division of Central Canal within the county of Marion, and the final disposal of the interest of the State in such part of Canal, ..... | 301 |               |     |     |     |
| 213 | A bill to incorporate the Central Plank Road Company of Vanderburg county, .....                                                                                                                                                         | 307 | 350, 351, 383 | 383 | 556 | 732 |
| 214 | A bill extending the provisions of an act to the 11th Judicial Circuit, .....                                                                                                                                                            | 307 |               | 307 | 535 | 662 |
| 215 | A bill to incorporate the town of Plymouth, .....                                                                                                                                                                                        | 307 | 348, 349      | 380 | 532 | 732 |
| 216 | A bill to amend an act to increase and extend the benefit of common schools, .....                                                                                                                                                       | 308 | 330           | 380 | 610 | 732 |
| 217 | A bill fixing the salaries of the Trustees of the Wabash and Erie Canal, .....                                                                                                                                                           | 308 | 503, 504      |     |     |     |
| 218 | A bill to amend an act to extend the term of the Probate Court of the county of Monroe, and for other purposes, approved January 21, 1850, .....                                                                                         | 308 |               | 308 | 367 | 470 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

826

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                      | <i>Introduced.</i> | <i>Proceedings before<br/>passage.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------------|----------------------|-----------------------|---------------------------|------------------|
| 219            | A bill to incorporate the Rising Sun Hotel Company, .....                                                                          | 308                | 456, 485, 511                          | 578                  | 707                   |                           | 778              |
| 220            | A bill to more effectually prevent fraud and perjury, .....                                                                        | 308                | 330, 501                               |                      |                       |                           |                  |
| 221            | A bill to amend an act entitled "an act to incorporate the Ladies' Sigourney Library at Logansport," approved Jan. 27, 1848, ..... | 308                | 308                                    | 308                  | 367                   |                           | 470              |
| 222            | A bill entitled "an act amendatory to sections 15 and 20 of chapter 35, of the Revised Statutes of 1843, .....                     | 308                | 330, 501                               |                      |                       |                           |                  |
| 223            | A bill to curtail the expenses of the Legislature, .....                                                                           | 308                | 330, 671                               |                      |                       |                           |                  |
| 224            | A bill authorizing the establishment of an additional place of holding elections in the several townships in this State, .....     | 308                | 331                                    |                      |                       |                           |                  |
| 225            | A bill to authorize Riley Sexton to take a change of venue, .....                                                                  | 308                | 331                                    | 380                  |                       |                           |                  |

|     |                                                                                                                                            |     |            |  |     |     |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------|-----|------------|--|-----|-----|
| 226 | A bill for the relief of John M. Stewart, sheriff of Ripley county, .....                                                                  | 309 |            |  |     |     |
| 227 | A bill to define the duties of the county treasurers of the State of Indiana, .....                                                        | 309 | 331, 670   |  |     |     |
| 228 | A bill providing for the annexation of Lamasco to Evansville, .....                                                                        | 309 | 459, 485   |  | 546 | 707 |
| 229 | A bill to amend an act entitled "an act to incorporate the Indianapolis and Springfield Plank Road Company," approved Jan. 19, 1850, ..... | 309 |            |  |     |     |
| 230 | A bill to repeal an act therein named, .....                                                                                               | 309 | 331        |  | 415 | 535 |
| 231 | A bill to amend section 10, chapter 19, of the Revised Statutes of 1843, in Allen county, .....                                            | 309 | 398        |  | 380 | 535 |
| 232 | A bill to reduce the power of the grand jury in Rush county, .....                                                                         | 309 | 398        |  |     |     |
| 233 | A bill for the relief of the heirs of Elizabeth Blatner, late of Dearborn county, Indiana, deceased, .....                                 | 310 | 397        |  | 397 | 556 |
| 234 | A bill amending sections 48, 49, and 50, of chapter 29, of the Revised Statutes of 1843, .....                                             | 310 | 502, 580   |  | 580 |     |
| 235 | A bill to vacate a State road in Cass and Howard counties, .....                                                                           | 311 | 331        |  | 380 | 532 |
| 236 | A bill to incorporate the White River Navigation Company, .....                                                                            | 311 |            |  |     |     |
| 237 | A joint resolution on the subject of the compromise measures, passed at the last session of Congress, .....                                | 313 | 313 to 317 |  | 414 | 701 |
|     |                                                                                                                                            |     |            |  | 317 | 702 |

775

709  
662

733

709

778

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

823

| <i>Number.</i> | <i>TITLE.</i>                                                                                                            | <i>Introduced.</i> | <i>Proceedings before<br/>Passage.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|--------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------------|----------------------|-----------------------|---------------------------|------------------|
| 238            | A bill to restrict the powers of the grand jury of Shelby county, and to limit the time of its sessions,.....            | 327                | 327                                    | 327                  | 643                   | 643                       | 775              |
| 239            | A bill to give County Treasurers till the first of April, 1851, to make settlement with the Auditor of State,.....       | 332                | 382                                    | 430                  | 556                   |                           | 709              |
| 240            | A joint resolution in regard to the State University, .....                                                              | 332                | 382                                    |                      |                       |                           |                  |
| 241            | A bill for the relief of Henry Bates, .....                                                                              | 334                | 458                                    | 458                  | 612                   |                           | 780              |
| 242            | A bill for the relief of Ebenezer F. Lucas, ..                                                                           | 345                | 383, 430, 672, 719                     |                      |                       |                           |                  |
| 243            | A bill to defray the expenses of the Quarter-Master General, and for other purposes, ..                                  | 346                | 383, 430                               | 430                  |                       |                           |                  |
| 244            | A bill to locate a State Road in the county of Warrick, .....                                                            | 346                | 347                                    | 347                  | 426                   | 426                       | 544              |
| 245            | A bill to amend the general road law, approved January 16, 1849, so far as the same relates to the county of Cass, ..... |                    |                                        |                      |                       |                           |                  |
| 246            | A bill to authorize the board of County Com-                                                                             | 347                | 383, 430                               | 430                  | 556                   |                           | 732              |



|                                                                                                                                                                                               |     |          |     |     |     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----------|-----|-----|-----|
| missioners of Pike county to employ, by the year, a physician to attend on the paupers of said county, .....                                                                                  | 352 | 353      | 356 | 532 | 662 |
| 247 A bill to enable the qualified voters of school districts 5 and 8, in township 37, north of range 3 west, in Laporte county, to build a union school house, and for other purposes, ..... | 353 | 383, 430 | 430 | 532 | 663 |
| 248 A bill to extend the provisions therein named to a school district therein named, .....                                                                                                   | 353 |          | 353 | 430 | 543 |
| 249 A bill to amend the 65th section of the 54th chapter of the Revised Statutes of 1843, ..                                                                                                  | 354 | 383, 431 |     |     |     |
| 250 A bill to authorize the inhabitants of school district No. 2, in township 36, north of range 3 west, in Laporte county to levy an additional school tax, .....                            | 354 | 383      | 431 | 556 | 732 |
| 251 A bill in relation to supervisors of roads and highways in the county of Jackson, .....                                                                                                   | 358 | 383      | 383 | 533 | 662 |
| 252 A bill to repeal the first thirteen sections of chapter 50, of the Revised Statutes of 1813, so far as relates to the counties of Scott and Greene, .....                                 | 358 |          | 431 | 556 | 709 |
| 253 A bill to regulate the mode of doing township business, in the county of Wabash, ..                                                                                                       | 370 | 433      | 465 | 708 | 779 |
| 254 A bill for the sale of the public square of Evansville, and the application of its proceeds to the erection of new county buildings for Vanderburgh county, .....                         | 371 | 420      | 42  | 556 | 784 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

830

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                        | <i>Introduced.</i> | <i>Proceedings before<br/>Passage.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------------|----------------------|-----------------------|---------------------------|------------------|
| 255            | A bill to incorporate a fire engine company at North Madison,.....                                                                   | 373                |                                        | 374                  | 557                   |                           | 733              |
| 256            | A bill to authorize a special session of the Greene Circuit Court,.....                                                              | 374                |                                        | 374                  |                       |                           |                  |
| 257            | A bill to amend the charter of the Central Plank Road Company,.....                                                                  | 374                | 433, 466, 480, 527,                    | 527                  | 597                   | 598, 628, 692, 693        | 778              |
| 258            | A bill to extend the powers of the board of commissioners of Delaware county,...                                                     | 380                |                                        | 466                  | 557                   |                           | 732              |
| 259            | A bill to amend an act regulating the time of holding Probate court in the county of Tipton, .....                                   | 381                | 433                                    | 466                  | 557                   |                           | 733              |
| 260            | A bill to incorporate the Newburgh and Vanderburgh Railroad Company,.....                                                            | 381                | 421                                    | 421                  | 557                   |                           | 733              |
| 261            | A bill to incorporate the Kankakee Bridge Company, .....                                                                             | 381                | 474                                    | 475                  | 663                   |                           | 775              |
| 262            | A bill to amend an act entitled "an act to authorize the people of the several townships of the several counties to prohibit the re- |                    |                                        |                      |                       |                           |                  |

|      |                                                                                                                                                             |     |           |     |     |     |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----------|-----|-----|-----|
| 263  | tailoring of spirituous liquors," approved Jan. 18, 1849, . . . . .                                                                                         | 392 | 433       |     |     |     |
|      | A bill to authorize the board of commissioners of Howard county to cause a record to be made of a certain state road therein named, . . . . .               | 390 |           | 390 | 533 | 662 |
| 264  | A bill to amend an act entitled "an act to amend the act entitled an act to incorporate the city of Fort Wayne," and all acts amendatory thereto, . . . . . | 390 | 390, 433, | 433 | 533 | 662 |
| 265  | A bill defining the duties of the Governor in certain cases therein named, . . . . .                                                                        | 390 | 390, 433, | 466 | 730 |     |
| 266  | A bill to incorporate the Central Michigan Plank Road Company, . . . . .                                                                                    | 390 | 391       | 431 | 606 | 775 |
| 267  | A bill in relation to the streets and alleys in the town of Bowling Green, in Clay county, . . . . .                                                        | 391 |           | 466 |     |     |
| 268  | A bill to establish a free turnpike road, . . . . .                                                                                                         | 391 |           | 434 | 570 | 776 |
| 269. | A bill to incorporate the Madison Medical Society at Madison, in the county of Jefferson, . . . . .                                                         | 391 |           | 431 | 557 | 732 |
| 270  | A bill for the relief of Thomas Decimus Franklin, Sophia Whitworth, William Whall, John Whall and Robert Whall, . . . . .                                   | 391 |           | 431 | 557 | 733 |
| 271  | A bill limiting the jurisdiction of the corporation of the town of South Bend, in the county of St. Joseph, . . . . .                                       | 392 | 434       | 466 | 557 | 733 |

| <i>Number.</i> | <i>TITLE.</i>                                                                                                         | <i>Introduced.</i> | <i>Proceedings before passage.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|-----------------------------------------------------------------------------------------------------------------------|--------------------|------------------------------------|----------------------|-----------------------|---------------------------|------------------|
| 272            | A bill relative to the jurisdiction of justices of the peace in certain criminal cases in the county of Carroll,..... | 393                | 434                                | 466                  | 533                   |                           | 662              |
| 273            | A bill to allow pay to the county surveyor of the county of Warrick, for surveying swamp lands in said county,.....   | 393                | 434                                |                      |                       |                           |                  |
| 274            | A bill to incorporate the Indianapolis Gaslight and Coke Company,.....                                                | 393                | 434                                | 466                  | 571                   | 571                       | 775              |
| 275            | A bill to change a portion of a certain state road therein named, in the counties of Boone and Hamilton,.....         | 294                |                                    | 431                  | 610                   |                           | 733              |
| 276            | A bill for the better improvement of highways in the counties of Carroll and Delaware,.....                           | 394                | 434                                | 466                  | 621                   | 621                       | 779              |
| 277            | A bill confirming the sale of the Georgia lands to Martin R. Green,.....                                              | 394                | 434, 468, 487, 511, 231,           |                      |                       |                           |                  |
| 278            | A bill for the relief of the Terre Haute and                                                                          |                    |                                    |                      |                       |                           |                  |

|     |                                                                                                                                   |     |                     |     |     |     |
|-----|-----------------------------------------------------------------------------------------------------------------------------------|-----|---------------------|-----|-----|-----|
| 279 | Richmond Railroad Company, and the Indiana Central Railroad Company,.....                                                         | 394 | 434, 459, 486, 522, | 523 | 663 | 775 |
| 280 | A bill to incorporate the Bluntsville, Smithfield and Montpelier Plank Road Company,.....                                         | 394 | 435                 | 466 | 612 | 776 |
| 281 | A bill to regulate the issuing of executions and fee bills in the several courts of the counties of Marion, Dearborn, Davies, &c. | 397 | 437                 | 437 | 571 | 587 |
| 282 | A bill to amend an act entitled "an act relating to certain officers in the county of Dearborn," approved Jan. 16, 1851,.....     | 404 | 437                 | 466 |     |     |
| 283 | A bill granting further powers to the township of Lawrenceburgh, in the county of Dearborn,.....                                  | 404 | 437                 | 466 | 557 | 733 |
| 284 | A bill to prohibit the sale of intoxicating liquors in the town of Middletown, in Henry county,.....                              | 405 | 437                 | 466 | 533 | 662 |
| 285 | A joint resolution requiring the Treasurer of State to pay over certain moneys to the Michigan Road Company,.....                 | 405 |                     | 437 |     |     |
| 286 | A bill to incorporate the New Albany and Vincennes Turnpike Company,.....                                                         | 417 |                     | 466 | 718 | 780 |
| 287 | A bill to enable the Auditor of Spencer county to convey a certain tract of land therein named to John Masterson,.....            | 417 |                     | 417 | 583 | 662 |
| 288 | A bill to locate a state road from Bennettsville in Clark county, to Salem in Washington county,.....                             | 418 | 482, 549,           | 549 | 673 | 784 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

834

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                                                                                                                              | <i>Introduced.</i> | <i>Proceedings before<br/>passage.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------------|----------------------|-----------------------|---------------------------|------------------|
| 288            | A bill to locate a state road in the counties of Montgomery and Tippecanoe, . . . . .                                                                                                                                                      | 418                | 482                                    | 482                  | 673                   | 673                       | 783              |
| 289            | A bill to apportion the Senators and Representatives among the several counties, . . .                                                                                                                                                     | 419                | 480, 488, 589, 597, 516                |                      |                       |                           |                  |
| 290            | A bill to locate a State road from Pleasant Grove, in Fulton county, by way of Fulton steam mill, to Perrysburg, in Miami county, . . .                                                                                                    | 420                | 482                                    | 482                  | 533                   |                           | 662              |
| 291            | A bill to provide for defraying the expense of selecting the overflowed swamp lands in the State of Indiana, and for other purposes, . .                                                                                                   | 420                | 460, 546, 547, 554, 586, 587           | 587                  | 673                   | 673, 674, 675             | 783              |
| 292            | A bill to regulate the mode of prosecuting against the White Water Valley Canal Company, for failing to build, repair, and keep up bridges at such places across said canal across any State or county road or street of a town, . . . . . | 422                | 454, 485                               | 485                  |                       |                           |                  |
| 293            | A bill to incorporate the Albion and Lisbon Turnpike Company, . . . . .                                                                                                                                                                    | 422                | 475                                    | 550                  | 643                   | 643                       | 775              |

|     |                                                                                                                                                              |     |          |     |     |     |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----------|-----|-----|-----|
| 294 | A bill to repeal an act therein named, .....                                                                                                                 | 422 | 482, 549 | 549 | 738 | 778 |
| 295 | A bill to locate a State road in the counties of Crawford and Perry, .....                                                                                   | 422 |          | 422 | 533 | 709 |
| 296 | A bill to incorporate the Grapevine Marsh Plank Road Company, .....                                                                                          | 422 | 474      | 474 | 663 | 663 |
| 297 | A bill for the relief of the inhabitants of school district No. 1, township 1 west, in Orange county, .....                                                  | 422 |          | 422 | 533 | 709 |
| 298 | A bill to authorize the administrator and widow of Josiah F. Oaks to execute deeds of quit claim, .....                                                      | 423 |          | 423 | 610 | 732 |
| 299 | A bill to restrict the grand juries of Porter and Lake counties, in their sessions, and for other purposes, .....                                            | 423 |          | 423 | 533 | 663 |
| 300 | A bill to amend an act entitled "an act requiring supervisors of roads in Canal Creek township, in Montgomery county, to keep the same in repair, &c., ..... | 423 |          | 423 | 533 | 662 |
| 301 | A bill to authorize the construction of a mill dam across the Tippecanoe River, in White county, ... ..                                                      | 423 | 482      | 549 | 663 | 774 |
| 302 | A bill to require non-residents to give security for costs, .....                                                                                            | 423 | 501      |     |     |     |
| 303 | A bill to incorporate the Franklin and Shelbyville Turnpike Company, .....                                                                                   | 423 |          | 423 | 606 | 779 |
| 304 | A bill to incorporate the Montpelier and Matamoros Plank Road Company, .....                                                                                 | 423 | 482      | 474 | 557 | 733 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                                                                    | <i>Introduced.</i> | <i>Proceedings before<br/>Passage.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------------|----------------------|-----------------------|---------------------------|------------------|
| 305            | A bill in relation to the sale of spirituous liquors in Johnson county,.....                                                                                                     | 423                |                                        | 424                  | 606                   | 606                       | 779              |
| 306            | A bill to amend an act entitled "an act to compel non-residents to pay a road tax equal to that paid by residents in the county of Whitley, approved January 14, 1850,"          | 424                |                                        | 424                  | 613                   |                           | 775              |
| 307            | A bill for the further security of decedents' estates in Allen county,.....                                                                                                      | 424                |                                        | 466                  |                       |                           |                  |
| 308            | A bill to amend an act entitled "an act to prohibit the sale of spirituous liquors in Adams, Fall Creek, and Anderson townships, Madison county, approved January 17, 1849,..... | 424                |                                        | 424                  | 557                   |                           | 732              |
| 309            | A bill for the compensation of clerks in circuit courts in cases of naturalization, in the 12th judicial circuit,.....                                                           | 424                | 482                                    | 550                  | 708                   |                           | 776              |
| 310            | A bill to repeal certain acts therein named, so far as the county of Jay is concerned,....                                                                                       | 424                |                                        | 424                  |                       |                           |                  |



|     |                                                                                                                                                                                                               |     |          |     |     |     |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----------|-----|-----|-----|
| 311 | A bill to incorporate the German Evangelical Lutheran St. Paul's Church, in the city of Fort Wayne, Allen county,.....                                                                                        | 424 |          | 424 | 570 | 779 |
| 312 | A bill to extend the privileges of the State Library to the clerks, auditors, and recorders of the several counties, .....                                                                                    | 424 |          | 424 |     |     |
| 313 | A bill authorizing certain persons named, to erect a toll bridge across the West fork of White river,.....                                                                                                    | 425 |          | 425 | 610 | 732 |
| 314 | A bill to change the time of holding the circuit courts in the 3d and 13th judicial circuits, .....                                                                                                           | 431 | 421, 482 | 549 | 657 | 732 |
| 315 | A bill to change the name of the Madison and Napoleon Turnpike Company,.....                                                                                                                                  | 432 |          | 466 | 533 | 662 |
| 316 | A bill to authorize the superintendent of common schools to publish and distribute the school laws of 1849, .....                                                                                             | 432 | 482, 549 | 549 |     |     |
| 317 | A bill in reference to the poor of Wayne township, Allen county,.....                                                                                                                                         | 432 |          | 466 | 533 | 663 |
| 318 | A bill amending the criminal laws of the State and declaratory thereof,.....                                                                                                                                  | 438 | 483, 599 | 682 |     |     |
| 319 | A bill to incorporate the Charlestown and Brownstown Plank Road Company, .....                                                                                                                                | 438 | 483      | 483 | 533 | 662 |
| 320 | A bill authorizing the Treasurer and Auditor of State to re-settle with George H. Dunn, late Treasurer of State, and to correct any mistake that may be found in the former settlement of the said Dunn,..... | 438 | 553      | 582 | 663 | 775 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

838

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                 | <i>Introduced.</i> | <i>Proceedings before passage.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|-------------------------------------------------------------------------------------------------------------------------------|--------------------|------------------------------------|----------------------|-----------------------|---------------------------|------------------|
| 321            | A bill to incorporate the Wabash and Marion Plank Road Company,.....                                                          | 438                | 529                                | 529                  | 708                   |                           | 784              |
| 322            | A bill for the benefit of the defenders of their country, exempting \$200 worth of property from taxation,.....               | 438                | 483, 671                           |                      |                       |                           |                  |
| 323            | A bill to amend the charter of the Lafayette and Indianapolis Railroad Company,.....                                          | 438                | 438-9, 565                         |                      |                       |                           |                  |
| 324            | A bill to authorize the election of supervisors of roads in Laurel township, Franklin county, .....                           | 439                |                                    | 439                  | 610                   |                           | 733              |
| 325            | A joint resolution in relation to western interests, .....                                                                    | 439                | 483                                | 483                  |                       |                           |                  |
| 326            | A bill to change the name of the town of Portland, in Hancock county, to that of Cleveland, and to incorporate the same,..... | 440                |                                    | 440                  | 610                   |                           | 733              |
| 327            | A bill dispensing with complete records, and regulating the fees of clerk in Probate Court in certain cases, .....            | 452                | 547                                | 582                  |                       |                           |                  |

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|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----------|--|-----|-----|-----|
| 328 | A joint resolution concerning the sale of the Northern Division of the Central Canal, ..                                                                                                           | 453 | 547      |  |     |     | 774 |
| 329 | A bill to repeal the 5th, 6th, and 7th sections of an act to amend an act granting to the citizens of the town of Aurora, in the county of Dearborn, a city charter, approved Jan. 19, 1850, ..... | 455 | 506      |  |     |     | 662 |
| 330 | A bill to repeal an act to regulate the retailing of spirituous liquors in the town of Kosciusko, approved Jan. 19, 1850, .....                                                                    | 458 | 547      |  | 582 | 663 | 774 |
| 331 | A bill to vacate an alley in the town of Greencastle, Putnam county, .....                                                                                                                         | 459 |          |  | 459 | 533 | 662 |
| 332 | A bill to prevent intemperance in Wayne township in the county of Henry, .....                                                                                                                     | 460 |          |  | 460 | 533 | 663 |
| 333 | A bill to extend the time of holding the sessions of the board of county commissioners of Warren county, .....                                                                                     | 460 | 547      |  | 582 | 708 | 779 |
| 334 | A bill to give the Judge of the Probate Court of Monroe county authority to issue and try writs of habeas corpus, .....                                                                            | 460 | 515      |  |     |     |     |
| 335 | A bill to change the mode of assessing the personal and real estate of Rush county, ..                                                                                                             | 461 | 547, 550 |  |     |     |     |
| 336 | A bill to amend an act in relation to the service of subpoenas in chancery, .....                                                                                                                  | 461 | 515-16   |  |     |     |     |
| 337 | A bill to extend an act entitled "an act to authorize the Sheriff of Lawrence county to serve process issued by justice of the peace in certain cases in the county of Owen," ..                   | 461 | 547      |  | 547 | 708 | 779 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES.—Continued.

840

| Number. | TITLE.                                                                                                                               | Introduced. | Proceedings before Passage. | Passed House. | Passed Senate. | Other Proceedings. | Approved. |
|---------|--------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------------------------|---------------|----------------|--------------------|-----------|
| 338     | A bill to incorporate the Wabash, Warsaw, and Goshen Plank Road Company, . . . . .                                                   | 477         | 524                         | 580           | 708            |                    | 779       |
| 339     | A bill regulating the license of traveling peddlers in the county of Jackson, . . . . .                                              | 478         |                             | 478           |                |                    |           |
| 340     | A bill to change the time of holding Probate Courts in the county of Jasper, . . . . .                                               | 478         |                             | 551           | 610            |                    | 732       |
| 341     | A bill to provide for the support of infant children in cases therein named, . . . . .                                               | 479         | 600                         |               |                |                    |           |
| 342     | A bill amendatory to an act entitled "an act to increase and extend the benefits of common schools," approved Jan. 17, 1849, . . . . | 479         |                             | 479           | 621            | 621                | 785       |
| 343     | A bill to amend the several acts now in force in relation to widows, . . . . .                                                       | 479         | 551, 593                    | 593           |                |                    |           |
| 344     | A bill to authorize the Treasurer of Laporte county to charge a per centage on road tax receipts, . . . . .                          | 479         |                             | 551           | 708            |                    | 785       |
| 345     | A bill defining the duties of the Treasurer of Morgan county, . . . . .                                                              | 479         |                             | 479           | 571            | 571                | 733       |

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|-----|----------------------------------------------------------------------------------------------------------------------|-----|-----------------|-----|-----|-----|
| 346 | A bill to authorize the commissioners of Wash-<br>bash county to sell the surplus revenue bank<br>stock, .....       | 479 | 599, 600        | 682 | 738 | 779 |
| 347 | A bill to authorize the draining of the wet<br>lands in Miami, Allen, Huntington, and St.<br>Joseph counties, .....  | 479 |                 | 561 | 613 | 783 |
| 348 | A bill to authorize mileage to witnesses in civil<br>cases, .....                                                    | 480 | 551, 593        |     |     |     |
| 349 | A bill to extend the provisions of an act<br>therein named to the county of Kipley, ...                              | 481 |                 | 481 | 533 | 709 |
| 350 | A bill to amend an act entitled "an act to in-<br>corporate the town of Peru, approved Feb-<br>ruary 14, 1848, ..... | 481 | 525             | 525 | 663 | 775 |
| 351 | A bill for the relief of the assignees of J. & E.<br>L. Beard, .....                                                 | 502 | 578-9, 608, 627 | 628 | 730 |     |
| 352 | A bill providing for a certain road therein<br>named, .....                                                          | 503 | 580             | 580 | 613 | 774 |
| 353 | A bill to incorporate the town of Valparaiso,<br>in the county of Porter, .....                                      | 508 |                 | 508 | 663 | 779 |
| 354 | A bill to incorporate the town of Salem, in<br>the county of Washington, .....                                       | 508 |                 | 580 |     |     |
| 355 | A bill to attach the South half of section 5,<br>township 5, range 8 east, to the county of<br>Scott, .....          | 508 | 579, 622        | 622 | 730 | 779 |
| 356 | A bill to incorporate the Bluffton Band, in<br>Wells county, .....                                                   | 509 |                 | 509 | 337 | 733 |
| 357 | A bill to vacate a part of Gilmore's addition<br>to the town of Angola, in Steuben county,                           | 509 | 509             |     | 557 | 709 |

# BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                                                                 | <i>Introduced.</i> | <i>Proceedings before passage.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings</i> | <i>Approved.</i> |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|------------------------------------|----------------------|-----------------------|--------------------------|------------------|
| 358            | A bill to incorporate the Vernon Life, Trust, Trading, and Manufacturing Company, . . .                                                                                       | 509                | 509, 525                           | 525                  | 606                   | 606                      | 779              |
| 359            | A bill in relation to the county debt in Scott county, and authorizing the county commissioners of said county to borrow money for certain purposes, . . . . .                | 509                | 509                                | 509                  | 537                   |                          | 733              |
| 360            | A bill for the relief of the owners of lands mortgaged to the Sinking Fund, . . . . .                                                                                         | 509                | 509                                | 592                  | 731                   |                          | 784              |
| 361            | A bill to amend section 24, chapter 10, article I, of the Revised Statutes of 1843, so far as relates to the county of Allen, . . . . .                                       | 510                | 510, 580                           | 580                  |                       |                          |                  |
| 362            | A bill to repeal an act to amend the Statute providing for taking a change of venue in criminal cases, so far as Allen county is concerned, approved Jan. 16, 1849, . . . . . | 510                | 510, 580                           | 580                  | 708                   |                          | 784              |
| 363            | A bill to extend the Terre Haute and Alton Railroad, . . . . .                                                                                                                | 510                | 510                                | 561                  | 657                   | 657, 658                 |                  |

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|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|---------------|-----|-----|
| 364 | A bill incorporating the Madison and Cross Plains Plank Road Company,.....                                                                                                                       | 510 |               | 702 | 778 |
| 365 | A bill to amend an act entitled an act to authorize the transfer of cases pending in the Probate to the Circuit Court, in Putnam county, approved January 15, 1849, and for other purposes,..... | 510 | 598           | 682 | 778 |
| 366 | A bill to amend an act entitled an act to incorporate the Ohio and Indiana Railroad Company,.....                                                                                                | 510 | 510           | 580 | 775 |
| 367 | A bill to repeal certain acts therein named and for other purposes in Allen county, ..                                                                                                           | 510 | 510, 541, 542 | 542 | 733 |
| 368 | A bill to amend an act creating the Marion Court of Common Pleas, approved Jan. 4, 1849,.....                                                                                                    | 510 | 510           | 510 | 661 |
| 369 | A bill to extend the provisions of an act for the benefit of the Clark Central Plank Road Company, to the Madison, Hanover, and Lexington Plank Road Company,....                                | 510 |               | 510 | 775 |
| 370 | A bill to amend an act entitled an act to incorporate the German Theological Seminary, &c.,.....                                                                                                 | 510 |               | 510 | 709 |
| 371 | A bill declaring a certain name a misprint, ..                                                                                                                                                   | 511 | 579           | 622 | 780 |
| 372 | A bill providing for the election of three school commissioners, in township No. 12, range 11 east, situated in the counties of Franklin, Rush, and Decatur,.....                                | 511 |               | 563 | 785 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

844

| Number. | TITLE.                                                                                                                                                                              | Introduced. | Proceedings before<br>Passage. | Passed House. | Passed Senate. | Other Proceedings. | Approved. |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------------------|---------------|----------------|--------------------|-----------|
| 373     | A bill to amend an act entitled an act concerning free negroes, mulattoes, servants, and slaves, approved Jan. 10, 1831, . . . . .                                                  | 516         | 516, 580, 622, 623,            | 623           |                |                    |           |
| 374     | A bill to extend the provisions of an act to enable the qualified voters of district No. 4, township 31, range 6 east, in Kosciusko county, to build a school house, &c., . . . . . | 524         |                                | 524           | 613            |                    | 775       |
| 375     | A bill for the benefit of the Indiana Hospital for the Insane, . . . . .                                                                                                            | 526         |                                | 526           | 613            |                    | 775       |
| 376     | A bill to locate a State road in the counties of Warren and Benton, . . . . .                                                                                                       | 526         | 582                            |               |                |                    |           |
| 377     | A joint resolution suspending the operations of a certain act therein named, . . . . .                                                                                              | 527         | 527                            | 528           | 708            |                    | 779       |
| 378     | A bill to authorize the formation of gas light companies, . . . . .                                                                                                                 | 528         | 528, 602,                      | 602           | 707            |                    | 780       |
| 379     | A bill to legalize a certain road in Clinton county, . . . . .                                                                                                                      | 528         |                                | 528           | 610            |                    | 732       |



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|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----------------|-----|-----|
| 380 | A bill for the relief of Harmon N. Kress of Clay county,.....                                                                                                           | 528 | 528            | 613 | 775 |
| 381 | A bill to amend an act entitled "an act to incorporate the Richmond and Boston Turnpike Company," approved Feb. 15, 1839, ..                                            | 528 | 528            | 663 | 774 |
| 382 | A bill to extend a certain road therein named,                                                                                                                          | 528 | 528, 582, 644, | 774 | 785 |
| 383 | A bill to incorporate the Franklin Insurance Company, .....                                                                                                             | 528 | 528, 601,      | 702 | 780 |
| 384 | A bill to appraise the real estate of the State, and to make the value of the same equal and uniform throughout the State, .....                                        | 530 | 530, 531,      | 735 | 786 |
| 385 | A bill providing for the election of township assessors in Rush county, .....                                                                                           | 550 |                | 708 | 786 |
| 386 | A joint resolution directing the State Librarian to allow the ladies of the committee on the Owen Testimonial the use of the Hall of the House of Representatives, .... | 554 |                |     | 733 |
| 387 | A bill for the relief of John J. Cummins, ....                                                                                                                          | 555 | 566            | 607 |     |
| 388 | A bill to authorize the city of Madison to borrow money, .....                                                                                                          | 555 |                | 708 | 779 |
| 389 | A bill to incorporate the German Union Support Society of Jefferson county, .....                                                                                       | 555 |                | 613 | 774 |
| 390 | A bill describing the boundaries of the county of Blackford, .....                                                                                                      | 555 | 586            |     |     |
| 391 | A bill to extend the provisions of article 1 of chap. 42 of the Revised Statutes of 1843, ..                                                                            | 559 | 647            | 737 | 784 |
| 393 | A bill to repeal a plank road law of Huntington and Whitley counties, .....                                                                                             | 560 |                | 731 | 784 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

| Number. | TITLE.                                                                                                                        | <i>Introduced.</i> | <i>Proceedings before<br/>Passage.</i>       | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|---------|-------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------------------|----------------------|-----------------------|---------------------------|------------------|
| 394     | A bill legalizing the sale of the school section in township 11, north of range 1 west, in Morgan county,.....                | 562                |                                              | 562                  | 663                   |                           | 780              |
| 395     | A bill to locate a state road in the counties of Marion and Boone,.....                                                       | 562                |                                              | 562                  | 708                   |                           | 780              |
| 396     | A bill to create a school district in Marshall county, .....                                                                  | 563                |                                              | 563                  | 731                   |                           | 786              |
| 397     | A bill to authorize the sale of section 16, township 8, north of range 5 east, in the county of Bartholomew,.....             | 563                |                                              | 563                  | 613                   |                           | 774              |
| 398     | A bill to more effectually prevent the sale of spirituous liquors,.....                                                       | 564                | 624, 627, 658, 659,<br>660, 697 to 699, 719, |                      |                       |                           |                  |
| 399     | A bill for the relief of Samuel Shimer and other purchasers of school lands in Randolph and Delaware counties,.....           | 564                |                                              | 564                  | 731                   |                           | 786              |
| 400     | A bill to repeal an act entitled "an act regulating the salary of the auditor of Putnam county," approved Feb. 11, 1848,..... | 564                |                                              | 564                  | 663                   |                           | 780              |

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|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----------------------|-----|-----|
| 401 | A bill to establish additional places of holding elections in certain counties therein named, .....                                                                                    | 565 | 565                   | 731 | 484 |
| 402 | A bill to repeal an act entitled "an act to prohibit the sale of intoxicating drinks in Blue River township, Johnson county," .....                                                    | 565 | 565                   | 708 | 779 |
| 403 | A joint resolution for the relief of Capt. Wm. Waldo, .....                                                                                                                            | 566 | 566                   | 742 | 785 |
| 404 | A bill amendatory of the several acts relating to the city of Logansport, approved January 13, 1845, and January 14, 1848, ..                                                          | 566 | 566                   | 613 | 774 |
| 405 | A bill to incorporate the Madison and Vevay Plank Road Company, .....                                                                                                                  | 566 | 566                   | 673 | 784 |
| 406 | A bill to prevent attorneys from doing the duties of Sheriff in Tippecanoe county, ..                                                                                                  | 566 | 566                   | 742 | 784 |
| 407 | A bill to authorize the Governor of the State to pay the taxes on the Georgia lands, and for other purposes, .....                                                                     | 567 | 567, 647 to 653, 686, | 730 |     |
| 408 | A bill to extend the October and February terms of the Marion Probate Court, .....                                                                                                     | 567 | 567                   | 613 | 775 |
| 409 | A bill to confer additional powers upon Superintendents of county asylums, .....                                                                                                       | 567 | 567, 647, 687,        |     |     |
| 410 | A bill to repeal an act establishing additional places of holding elections in certain counties therein named, approved Dec. 20, 1849, so far as the county of Greene is concerned, .. | 567 | 567                   | 613 | 774 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

848

| Number. | TITLE.                                                                                                                                                                                                                                         | Introduced. | Proceedings before Passage. | Passed House. | Passed Senate. | Other Proceedings. | Approved. |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------------------------|---------------|----------------|--------------------|-----------|
| 411     | A bill to authorize the board doing county business in Tipton county, to change the burial ground for the town of Tipton, . . .                                                                                                                | 567         |                             | 567           | 613            |                    | 780       |
| 412     | A bill for the relief of purchasers of school lands in the county of Lagrange, . . . . .                                                                                                                                                       | 567         | 567, 628                    | 628           | 708            |                    | 784       |
| 413     | A bill to amend an act therein named, . . . . .                                                                                                                                                                                                | 567         |                             | 567           | 708            |                    | 784       |
| 414     | A bill for the relief of the heirs of Thomas Berry, deceased, . . . . .                                                                                                                                                                        | 567         | 567, 695                    |               |                |                    |           |
| 415     | A bill to amend an act entitled "an act supplementary to an act to provide for the funded debt of Indiana, and for the completion of the Wabash and Erie Canal to Evansville, approved January 19, 1846, approved January 27, 1847," . . . . . | 568         | 653                         | 653           |                | 735                |           |
| 416     | A bill in reference to proceedings upon <i>scire facias</i> , . . . . .                                                                                                                                                                        | 568         | 568, 600                    |               | 738            |                    | 786       |
| 417     | A bill for the compensation of county treas-                                                                                                                                                                                                   |             |                             |               |                |                    |           |

|     |                                                                                                                              |     |          |     |     |     |
|-----|------------------------------------------------------------------------------------------------------------------------------|-----|----------|-----|-----|-----|
| 418 | urers for expense and trouble in pre-payment of revenue, . . . . .                                                           | 568 | 568, 645 | 615 | 643 | 776 |
| 419 | A bill to legalize the tax sales made by the Mayor of the city of Fort Wayne, . . . . .                                      | 568 |          | 568 | 643 | 775 |
| 420 | A bill to amend an act to provide for the election of township assessors and collectors in the county of Jennings, . . . . . | 575 | 575      | 575 | 613 | 786 |
| 421 | A bill regulating the expense of capturing fugitives from justice, . . . . .                                                 | 583 | 653      | 653 |     | 785 |
| 422 | A bill for the relief of Peter Helphenstein, a purchaser of school lands, . . . . .                                          | 583 | 645      | 645 | 737 | 783 |
| 423 | A joint resolution in relation to papers and records pertaining to the Wabash and Erie Canal, &c., . . . . .                 | 590 |          | 590 | 708 | 785 |
| 424 | A bill to authorize the county commissioners of Pike county to make an appropriation therein named, . . . . .                | 592 |          | 592 | 731 | 778 |
| 425 | A bill to incorporate the Aurora Hotel Company, . . . . .                                                                    | 592 |          | 592 | 731 | 780 |
| 426 | A bill to locate a State road in the counties of Tipton and Howard, . . . . .                                                | 601 |          | 601 | 731 | 786 |
| 427 | A bill to reinstate the office of county auditor in the county of Johnson, . . . . .                                         | 602 |          | 603 | 707 |     |
| 428 | A bill to amend the charter of the town of Dublin, in Wayne county, . . . . .                                                | 603 |          | 603 | 708 |     |
|     | A bill to repeal an act entitled "an act to regulate the practice of law in the Lagrange circuit court, . . . . ."           | 603 |          | 603 | 708 |     |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

850

| Number. | TITLE.                                                                                                                                                                             | Introduced. | Proceedings before passage. | Passed House. | Passed Senate. | Other Proceedings. | Approved. |
|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------------------------|---------------|----------------|--------------------|-----------|
| 429     | A bill surrendering the right of way to railroad companies across swamp lands, . . . . .                                                                                           | 603         |                             | 603           | 731            |                    | 785       |
| 430     | A bill to incorporate the Goshen and Fort Wayne Railroad Company, . . . . .                                                                                                        | 603         | 603, 609, 700               |               |                |                    |           |
| 431     | A bill to authorize the State Auditor to lease the buildings on the Governor's Circle, . . .                                                                                       | 603         | 604, 620, 685, 719          |               |                |                    |           |
| 432     | A bill to amend an act entitled "an act to incorporate the Buffalo and Mississippi Railroad Company, approved February 6, 1835, and the several acts amendatory thereto, . . . . . | 604         | 604, 628, 685               | 685           |                |                    |           |
| 433     | A bill to amend the charter of the Evansville and Illinois Rail Road Company, . . . . .                                                                                            | 604         |                             | 604           | 718            | 718                | 779       |
| 434     | A bill reducing the fees for taking acknowledgments of mortgages to the Trust Funds, . . . . .                                                                                     | 604         |                             | 604           | 731            |                    | 784       |
| 435     | A joint resolution relative to the slave trade, . . . . .                                                                                                                          | 605         |                             | 605           | 701            | 701                | 778       |
| 436     | A bill to incorporate the Orleans, Paoli, and Cannelton Rail Road Company, . . . . .                                                                                               | 605         | 605, 690, 691, 692, 719     |               |                |                    |           |

|     |                                                                                                                                                                                                                   |     |     |     |     |     |     |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|-----|-----|
| 437 | A bill amendatory to an act supplemental to an act to incorporate the Vevay, Mt. Sterling, and Versailles Turnpike Road Company, approved January 4, 1850, . . . . .                                              | 605 | 682 |     |     |     |     |
| 438 | A bill to authorize Joseph Morrow, Silas Park, and Robert Wilson, commissioners appointed by the Grant Probate Court, to sell the real estate of Wm. Wallace, deceased, at private sale, . . . . .                | 605 | 606 | 708 |     | 786 |     |
| 439 | A bill to enable John Travis of Laporte county, to prosecute a suit for a divorce, . . . .                                                                                                                        | 606 | 606 | 708 |     | 785 |     |
| 440 | A bill to amend an act entitled "an act for the call of a Convention of the people of the State to revise, amend, or alter the Constitution of this State, . . . . .                                              | 617 | 618 | 724 | 724 | 783 | 851 |
| 441 | A bill to for the relief of persons who have suffered by the destruction of the Justices' docket of Joseph F. Marshall, a Justice of the Peace of the county of Hancock, on the 24th of December, 1850, . . . . . | 618 | 618 | 708 |     | 779 |     |
| 442 | A bill to authorize the Board of Commissioners of Putnam county to issue bonds, . .                                                                                                                               | 619 | 619 | 702 |     | 785 |     |
| 443 | A bill to aid the collection of the surplus revenue in Carroll county, . . . . .                                                                                                                                  | 619 | 619 | 709 |     | 784 |     |
| 444 | A bill for the relief of James W. Edmonson of Hancock county, . . . . .                                                                                                                                           | 619 |     |     |     |     |     |
| 445 | A bill for the relief of Michael Riley of the county of Daviess, . . . . .                                                                                                                                        | 620 | 620 |     |     |     |     |

## BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

| <i>Number.</i> | <i>TITLE.</i>                                                                                                     | <i>Introduced.</i> | <i>Proceedings before<br/>Passage.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|-------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------------|----------------------|-----------------------|---------------------------|------------------|
| 446            | A bill to vacate a certain street in the town of Crawfordsville,.....                                             | 620                |                                        | 620                  | 709                   |                           | 779              |
| 447            | A bill to amend the several acts in regard to lands mortgaged to the different trust funds of this State,.....    | 620                | 697                                    |                      |                       |                           |                  |
| 448            | A bill to incorporate the White Water Railroad Company,.....                                                      | 620                | 640, 486                               |                      |                       |                           |                  |
| 449            | A bill to incorporate the Camden and Lockport Plank Road Company,.....                                            | 641                | 641                                    | 641                  | 737                   |                           | 785              |
| 450            | A bill to re-locate the State road between Paoli, in the county of Orange, and Troy, in the county of Perry,..... | 641                | 641                                    | 641                  | 737                   |                           | 785              |
| 451            | A bill to authorize the county surveyor of Miami county to re-survey the town of Mexico in said county,.....      | 642                | 643                                    | 643                  | 737                   |                           | 784              |
| 452            | A bill to incorporate the Philalethean Society of Hanover College,.....                                           | 643                | 643                                    | 643                  | 737                   |                           | 784              |



|     |                                                                                                                                                                                                        |     |               |     |     |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|---------------|-----|-----|
| 453 | A bill defining the duties of justices of the peace in Marion county,.....                                                                                                                             | 643 | 643           | 643 | 783 |
| 454 | A bill defining the boundaries of Tipton county, .....                                                                                                                                                 | 643 | 643, 667, 668 |     |     |
| 455 | A bill to regulate the sale of spirituous liquors in the county of Tippecanoe, .....                                                                                                                   | 643 | 643           | 643 | 786 |
| 456 | A bill to amend an act entitled "an act to incorporate the town of Troy, in Perry county," approved January, 1850, .....                                                                               | 659 | 659           | 659 | 783 |
| 457 | A bill to amend an act entitled "an act to restrict the grand juries in the counties of Porter and Lake to a limited time in their sessions, and for other purposes," approved February 8, 1851, ..... | 659 | 659           | 659 | 784 |
| 458 | A bill to authorize the printing of the reports of the benevolent institutions therein named, .....                                                                                                    | 665 | 665           | 665 | 778 |
| 459 | A bill to raise a revenue for the year 1851, ..                                                                                                                                                        | 666 | 666, 711, 713 | 714 | 778 |
| 460 | A bill to revive an act entitled "an act to incorporate the Milton and Waterloo Turnpike Company, .....                                                                                                | 666 | 666           | 666 | 779 |
| 461 | A joint resolution granting the use of the State Library to Capt. Michael Fitzgibbon and John B. Dillon, .....                                                                                         | 666 | 666           | 666 | 784 |
| 462 | A bill to amend an act entitled "an act to incorporate the Fort Wayne and Bluffton Turnpike Company, .....                                                                                             | 666 | 666, 667      |     |     |
| 463 | A joint resolution relative to the State Library, .....                                                                                                                                                | 667 | 667           | 667 | 679 |

BILLS AND JOINT RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

| <i>Number.</i> | <i>TITLE.</i>                                                                                                               | <i>Introduced.</i> | <i>Proceedings before<br/>Passage.</i> | <i>Passed House.</i> | <i>Passed Senate.</i> | <i>Other Proceedings.</i> | <i>Approved.</i> |
|----------------|-----------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------------|----------------------|-----------------------|---------------------------|------------------|
| 464            | A bill making general appropriations for the year 1851,.....                                                                | 670                | 670                                    | 670                  | 741                   |                           | 779              |
| 465            | A bill to equalize the price of swamp lands in the State of Indiana,....                                                    | 679                | 679                                    | 679                  | 737                   |                           | 778              |
| 466            | A bill to prohibit the sale of intoxicating drinks in Randolph county,.....                                                 | 679                | 679                                    | 679                  | 737                   |                           | 778              |
| 467            | A bill to legalize certain tax sales in Madison county,.....                                                                | 680                | 680                                    | 680                  |                       |                           |                  |
| 468            | A bill amendatory of an act incorporating the Ohio, Indiana, and Lake Michigan Railroad Company, approved Jan. 17, 1849,... | 688                | 688                                    | 688                  | 735                   | 735, 739, 742             | 785              |
| 469            | A joint resolution for the distribution of the Debates of the Constitutional Convention.                                    | 688                | 689                                    | 689                  | 738                   |                           | 786              |
| 470            | A bill to incorporate the town of Millford, in Decatur county,.....                                                         | 690                | 690                                    | 720                  | 738                   |                           | 785              |
| 471            | A bill restricting the grand jury in the county of Marshall to a limited time in their sessions,.....                       | 695                | 695                                    | 695                  | 738                   |                           | 783              |

|     |                                                                                                                                                                                                                |     |                         |     |     |                     |           |  |     |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-------------------------|-----|-----|---------------------|-----------|--|-----|
| 472 | A bill to incorporate the Fort Wayne and Lafayette Railroad Company, .....                                                                                                                                     | 695 | 695, 719, 724, 725, 726 |     |     |                     |           |  |     |
| 473 | A bill supplemental to an act entitled "an act to provide for defraying the expenses of selecting the overflowed and swamp lands in the State of Indiana, and for other purposes, passed February, 1851, ..... | 695 | 696                     | 696 | 738 |                     |           |  | 785 |
| 474 | A bill to provide for the election of township assessors in the counties of Greene and Hamilton, approved January 18, 1850, .....                                                                              | 696 | 696                     | 696 | 738 |                     |           |  | 786 |
| 475 | A bill for the relief of Philo Hays of the county of Daviess, .....                                                                                                                                            | 696 | 696, 721                |     |     |                     |           |  |     |
| 476 | A bill for the relief of Jesse Rader, of the county of Monroe, .....                                                                                                                                           | 697 | 697, 721                |     |     |                     |           |  |     |
| 477 | A bill to amend the charter of the Central Plank Road Company, .....                                                                                                                                           | 699 | 699, 721                | 721 |     | 739, 740            |           |  |     |
| 478 | A bill relative to the taxation of costs in certain cases, .....                                                                                                                                               | 699 | 699                     | 699 | 738 | 736                 |           |  | 786 |
| 479 | A bill relative to the practice of law in Marion county, .....                                                                                                                                                 | 700 | 700, 721                | 721 | 741 |                     |           |  | 778 |
| 480 | A bill to amend an act entitled "an act to improve the roads in Centre township, in Dearborn county," approved January 18, 1847, .....                                                                         | 704 | 704                     | 704 | 738 |                     |           |  | 784 |
| 481 | A bill making specific appropriations for the year 1851, .....                                                                                                                                                 | 710 | 710, 711                | 711 | 735 | 735, 736, 740, 744, | [774, 776 |  | 785 |

## BILLS AND JOINT RESOLUTIONS OF THE SENATE.

| Number. | TITLE.                                                                                                                                                                                      | Reported from Senate. | Proceedings before passage. | Passed House. | Other Proceedings. |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-----------------------------|---------------|--------------------|
|         |                                                                                                                                                                                             |                       |                             |               |                    |
| 1       | A bill for the relief of the borrowers of school fund,                                                                                                                                      | 65                    | 80, 283,                    | 324           | 366                |
| 2       | A bill to change the name and extend the corporate privileges of the Perry Cotton Mill at Cannelton, ..                                                                                     | 134                   | 152, 177,                   | 207           |                    |
| 3       | A bill to amend section 1 of an act approved Jan. 19, 1850, of an act entitled an act to amend an act entitled an act to incorporate the city of Indianapolis, approved May 27, 1848, ..... | 107                   | 108, 153,                   | 165           |                    |
| 4       | A bill to amend an act entitled an act to incorporate the Richmond and Miami Railroad Company, ....                                                                                         | 107                   | 108, 153,                   | 165           |                    |
| 5       | A bill to amend an act entitled an act to incorporate the town of Liberty, in Union county, approved January 18, 1850, .....                                                                | 498                   | 539, 588,                   | 682           |                    |
| 6       | A bill for the relief of Mary Clark, to enable her to convey real estate, .....                                                                                                             | 107                   | 108, 156, 338,              |               |                    |
| 7       | A bill to incorporate the Levee and Draining Company, .....                                                                                                                                 | 134                   | 152, 177,                   | 208           |                    |
| 8       | A bill to amend an act entitled an act to incorporate the town of Noblesville, .....                                                                                                        | 109                   | 109                         | 109           |                    |

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|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----------------|----------------|
| 9  | A bill authorizing the Probate Judge of Hamilton county to appoint an administrator on the estate of John S. Massey, deceased,.....                                                 | 169 | 175, 230,      | 253            |
| 10 | A bill to authorize Reason W. Prather to drain certain lowlands therein mentioned,.....                                                                                             | 70  |                | 107            |
| 11 | A bill to authorize the extension of the New Castle and Richmond Railroad,.....                                                                                                     | 107 | 108, 156, 162, | 162            |
| 12 | A bill for the benefit of the New Albany and Salem Railroad Company,.....                                                                                                           | 78  |                | 78             |
| 13 | A bill to amend sections 456 and 457 of chap. 30, art. 17 of the Revised Statutes of 1843, as to renting or leasing of real estate by executors, administrators and guardians,..... | 152 | 153, 177, 216, | 128 to 132,    |
| 14 | A bill to abolish the office of auditor in the county of Ohio,.....                                                                                                                 | 81  |                | 116            |
| 15 | A bill for the relief of Joseph Allen of Crawford county, .....                                                                                                                     | 134 | 152, 177, 236, | 255, 706,      |
| 16 | A bill to amend an act entitled an act to incorporate the Richmond and Williamsburg Turnpike Company, approved January 16, 1849,.....                                               | 107 | 108, 186, 207, | 287, 376, 535, |
| 19 | A bill to amend an act entitled an act to increase and extend the benefits of common schools, approved Jan. 17, 1849,.....                                                          | 341 | 357, 384, 453, | 207            |
| 21 | A bill to amend an act entitled an act to incorporate the town of Patriot in Switzerland county, and to legalize the action of the collector of said town,...                       | 107 | 108, 156,      | 485            |
| 24 | A bill to abolish the office of school commissioner of the county of Morgan,....                                                                                                    | 109 | 156            | 165            |
|    |                                                                                                                                                                                     |     |                | 156            |

## BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

| Number. | TITLE.                                                                                                                      | Reported from Senate. | Proceedings before Passage. | Passed House. | Other Proceedings. |
|---------|-----------------------------------------------------------------------------------------------------------------------------|-----------------------|-----------------------------|---------------|--------------------|
| 25      | A bill to authorize the auditor of Harrison county to make a deed therein named,.....                                       | 112                   | 153, 178                    | 207           |                    |
| 26      | A bill to amend an act entitled an act to incorporate the Cannelton Savings Institution, approved Jan. 18, 1850,.....       | 134                   | 152, 178, 207               |               |                    |
| 27      | A bill to increase the per diem allowance of the Probate Judges of the counties of Union, Fayette, Rush and Hendricks,..... | 109                   | 156-7, 165, 171, 208, [222  | 222           | 244                |
| 28      | A bill to incorporate the Ohio and Indiana Railroad Company,.....                                                           | 112                   | 153, 171, 178               | 178           | 184                |
| 29      | A bill to amend an act entitled an act to incorporate the Ohio and Mississippi Railroad Company,.....                       | 112                   | 153, 266, 319-20, 638       | 639           | 729                |
| 30      | A bill in relation to the Clark County Central Plank Road Company,.....                                                     | 134                   | 152, 178, 232, 324, 418     | 467           | 504                |
| 31      | A bill to change the name of Nancy Ann Kelso, of Dubois county, to Nancy Ann McMahan,.....                                  | 108                   | 108, 157                    | 165           |                    |
| 32      | A bill to amend an act entitled an act to incorporate the Hamilton Manufacturing Company,.....                              | 134                   | 152, 178, 208, 461-2        | 462           |                    |

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|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----------------|-----|
| 33 | A bill to legalize the assessment of taxes for school purposes, in district No. 7, in township 33, north of range 3 east, in DeKalb county,.....                                  | 108 | 108, 157        | 165 |
| 34 | A bill for the relief of Amasa Hazen, of Ripley county,.....                                                                                                                      | 108 |                 | 108 |
| 35 | A bill for the relief of Alexis Le Roy, deceased,....                                                                                                                             | 229 | 229, 254, 723   | 723 |
| 36 | A bill to incorporate the Cicero and Kirklm Plank Road Company,.....                                                                                                              | 198 | 206, 300, 330   | 330 |
| 37 | A bill to change the time of holding Circuit Courts in the 12th judicial circuit,.....                                                                                            | 108 |                 | 108 |
| 38 | A bill to legalize the election of the Treasurer of Madison county,.....                                                                                                          | 112 | 153, 230, 260-1 | 320 |
| 39 | A bill to amend an act entitled an act to incorporate the Terre Haute and Richmond Railroad Company, approved January 26, 1847, and the several acts amendatory of said act,..... | 134 | 152, 180        | 180 |
| 42 | A bill to amend an act entitled an act to incorporate the Junction Railroad Company, passed February 8, 1848,.....                                                                | 166 | 176, 221-2      | 222 |
| 43 | A bill in relation to the Jeffersonville Association,...                                                                                                                          | 112 | 153, 178, 208   |     |
| 45 | A bill declaring a misprint in an act approved Jan. 16, 1849,.....                                                                                                                | 134 | 153, 178, 208   | 208 |
| 46 | A joint resolution upon the subject of lands for school purposes,.....                                                                                                            | 288 | 289, 326        | 380 |
| 47 | A bill to incorporate the Ayres University,.....                                                                                                                                  | 166 | 176             | 176 |
| 48 | A bill to amend the charter of the Indianapolis and Bellefontaine Railroad Company,.....                                                                                          | 166 | 176, 230        | 253 |

# BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

| Number. | TITLE.                                                                                                                         | Reported from Senate. | Proceedings before passage. | Passed House. | Other Proceedings. |
|---------|--------------------------------------------------------------------------------------------------------------------------------|-----------------------|-----------------------------|---------------|--------------------|
|         |                                                                                                                                |                       |                             |               |                    |
| 50      | A bill to incorporate the Liberty and Miami Railroad Company,.....                                                             | 198                   | 206, 252, 562, 645          | 645           |                    |
| 51      | A bill to increase the per diem allowance of the Probate Judges of the Probate Courts of Montgomery and Madison counties,..... | 134                   | 153, 178                    | 208           |                    |
| 52      | A bill to incorporate the Sparta and Napoleon Turnpike Company,.....                                                           | 166                   | 176, 290                    | 200           |                    |
| 53      | A bill to amend sections 54 and 55, article 5, of the Revised Statutes of 1843, so far as relates to the county of Miami,..... | 427                   | 428, 833, 550               | 550           |                    |
| 54      | A joint resolution relative to the claim of Col. Francis Vigo, late a citizen of Knox county,.....                             | 152                   | 153, 178, 215, 238          | 254           |                    |
| 55      | A bill to incorporate the Columbia, Oswego, and Leesburg Plank Road Company,.....                                              | 250                   | 176, 298                    | 330           |                    |
| 56      | A bill locating a State road on the line dividing Wayne and Randolph counties,.....                                            | 169                   | 175, 231, 330, 459          | 485           |                    |
| 57      | A bill to pay counsel in certain cases,.....                                                                                   | 152                   | 153, 138                    | 208           |                    |



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|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|---------------------|-----|
| 57 | A bill to vacate streets and alleys in the town of Fairview, in Montgomery county,.....                                                                                              | 166 | 176, 231,           | 253 |
| 59 | A bill to amend an act to incorporate the Trustees of the Indiana Asbury University, approved January 10, 1837,.....                                                                 | 166 | 176                 | 176 |
| 61 | A bill for the relief and benefit of the College Corner and Liberty Turnpike Company, the Liberty and Abbington Turnpike Company, and Liberty and Brownsville Turnpike Company,..... | 288 | 289, 326, 380, 641, |     |
| 62 | A bill to amend section 29, of the act to incorporate the Fort Wayne and Columbia Plank Road Company,.....                                                                           | 166 | 176, 231,           | 253 |
| 63 | A bill in relation to the suit of the Vincennes University against the State of Indiana,.....                                                                                        | 195 | 232, 263,           | 320 |
| 64 | A bill locating a State road on the line dividing the counties of Allen and DeKalb, and for other purposes, .....                                                                    | 195 | 232, 253, 276,      | 320 |
| 65 | A bill to incorporate the Sparta and Versailles Turnpike Company,.....                                                                                                               | 250 | 276, 351,           | 383 |
| 66 | A bill to incorporate the Winchester and Greenville Railroad Company,.....                                                                                                           | 379 | 379, 435, 521, 522, | 524 |
| 67 | A bill to alter the time of holding the circuit courts in certain counties in the third judicial circuit,.....                                                                       | 195 | 232                 | 232 |
| 68 | A bill legalizing a certain deed of conveyance heretofore made and executed by the Auditor of Perry county to William Elder,.....                                                    | 198 | 206, 252, 275, 452, | 486 |
| 70 | A bill to incorporate the Wabash Railroad Company,                                                                                                                                   | 288 | 288, 349,           | 350 |

# BILLS AND JOINT RESOLUTIONS OF THE SENATE.—Continued.

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                                          | <i>Reported from Senate.</i> | <i>Proceedings before passage.</i> | <i>Passed House.</i> | <i>Other Proceedings.</i> |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|------------------------------------|----------------------|---------------------------|
| 72             | A bill in relation to the January term A. D. 1851, of the Probate court of Martin county,.....                                                         | 206                          | 206                                | 206                  |                           |
| 73             | A bill to amend an act to incorporate the Ohio River and Princeton Railroad Company,.....                                                              | 250                          | 276, 299,                          | 330                  |                           |
| 75             | A bill to amend an act entitled an act to incorporate the Bedford Insurance Company, approved Feb. 8, 1836, and to change the name of said company,... | 429                          | 430, 484,                          | 550                  |                           |
| 76             | A bill to amend the charter of the Madison Insurance Company,.....                                                                                     | 429                          | 430, 484,                          | 550                  |                           |
| 77             | A bill to repeal an act therein named,.....                                                                                                            | 197                          | 206                                | 206                  | 244                       |
| 78             | A bill to amend an act therein named,.....                                                                                                             | 229                          | 229, 264,                          |                      |                           |
| 79             | A bill to authorize a company to construct the Manchester and Elizabethtown Turnpike,.....                                                             | 198                          | 207, 352,                          | 352                  | 367                       |
| 80             | A bill to re-organize the Evansville Insurance Companies, chartered under the several acts of February 8, 1836, and January 21, 1850,.....             | 288                          | 289, 351,                          | 383                  | 465                       |
| 81             | A bill to repeal an act therein named relative to the election of county prosecutors,.....                                                             | 289                          | 328, 467,                          | 548                  |                           |

|    |                                                                                                                                                                                                         |     |                  |     |     |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------------|-----|-----|
| 83 | A bill to incorporate the Covington and Danville Plank Road Company,.....                                                                                                                               | 288 | 289, 328, 456-7, | 486 | 570 |
| 84 | A preamble and act to amend an act entitled an act to incorporate the Indiana Canal Company, approved Dec. 17, 1849,.....                                                                               | 377 | 377, 435,        | 467 |     |
| 85 | A bill to amend an act entitled an act to incorporate the Harrison Draw Bridge Company,.....                                                                                                            | 288 | 289, 328, 414,   |     |     |
| 87 | A bill for the benefit of the Martinsville and Franklin Railroad Company,.....                                                                                                                          | 377 | 377, 435,        | 435 |     |
| 90 | A bill to incorporate the Ohio and Wabash Plank Road Company,.....                                                                                                                                      | 341 | 357, 384,        | 432 |     |
| 92 | A bill to amend an act concerning the per diem allowance for work done on the highways in the county of Adams,.....                                                                                     | 288 | 289, 328,        | 380 |     |
| 93 | A bill to repeal an act therein named,.....                                                                                                                                                             | 250 | 277              | 320 |     |
| 94 | A bill to amend an act entitled an act to restrict the county commissioners of Steuben county in levying a tax to fifty cents on the \$100 valuation, approved Jan. 16, 1848,.....                      | 250 | 277              | 320 |     |
| 95 | A bill to amend the 12th section of chapter 50 of the Revised Statutes of 1843,.....                                                                                                                    | 288 | 289, 328-9, 380, | 380 | 465 |
| 96 | A bill to legalize the proceedings of the Alton, Mount Carmel and New Albany Railroad Company, and for other purposes,.....                                                                             | 288 | 289, 329,        | 381 |     |
| 97 | A bill to repeal an act entitled an act to amend the statute providing for the taking of a change of venue in criminal cases, approved January 16, 1849, so far as relates to the county of Steuben, .. | 312 | 313, 331,        | 381 |     |

# BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                                                                                                               | <i>Reported from Senate.</i> | <i>Proceedings before Passage.</i> | <i>Passed House.</i> | <i>Other Proceedings.</i> |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|------------------------------------|----------------------|---------------------------|
| 98             | A bill for the protection of persons and property on rail roads,.....                                                                                                                                                       | 341                          | 357, 530, 542                      |                      |                           |
| 99             | A bill to amend an act entitled an act to incorporate the Williamsburg and Centreville Turnpike Company,.....                                                                                                               | 377                          | 377, 435                           | 467                  |                           |
| 100            | A bill to authorize the taking of newspapers for the State Library,.....                                                                                                                                                    | 726                          | 727                                |                      |                           |
| 101            | A bill to repeal an act entitled an act declaring a certain stream therein named a public highway, in Shelby county, approved January 21, 1850,.....                                                                        | 288                          | 289, 527                           |                      |                           |
| 103            | A bill to authorize the Governor, Auditor, and Treasurer of State to borrow money to pay the interest due on the funded debt on the first day of July next, and defray the expenses of the Constitutional Convention, ..... | 341                          | 357, 384, 443 to 448               | 486                  | 536, 569, 595, 598        |
| 104            | A bill establishing an additional place of holding an election in Clark county,.....                                                                                                                                        | 288                          | 289, 329                           | 382                  | 612                       |

|          |                                                                                                                                                  |     |                         |           |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------|-----|-------------------------|-----------|
| 105      | A bill to change the time of holding probate courts in the county of Vermillion,.....                                                            | 250 | 250                     |           |
| 106      | A bill to amend an act to protect from waste certain lands therein named, approved December 31, 1849,.....                                       | 288 | 289, 329, 382, 462, 548 | 582       |
| 86 107 H | A bill authorizing licensed merchants to vend clocks,.....                                                                                       | 377 | 377, 435, 670, 720      | 720       |
| 108      | A bill to constitute a school district from a portion of the territory in the counties of Grant and Blackford,.....                              | 498 | 539, 588                | 682       |
| 109      | A bill to incorporate the Plainfield Seminary,.....                                                                                              | 377 | 378, 435                | 467       |
| 111      | A bill to incorporate the town of Covington, in the county of Fountain,.....                                                                     | 377 | 378, 435                | 467 504   |
| 112      | A bill in relation to the commission and punishment of crime,.....                                                                               | 429 | 430, 485, 599           | 682       |
| 113      | A bill for the relief of persons residing within the limits of corporate towns, so far as relates to personal labor on the public highways,..... | 377 | 378, 435, 436, 473      |           |
| 114      | A bill to amend an act entitled an act to incorporate the trustees of the Hartsville Academy, approved January 12, 1850,.....                    | 312 | 313, 332, 416           | 467 504-5 |
| 115      | A bill to change the name of the town of Nicklesonville,.....                                                                                    | 312 | 313, 332, 382           | 382       |
| 117      | A bill to authorize the Madison and Indianapolis Railroad Company to change the location of a part of said road,.....                            | 676 | 676                     |           |
| 118      | A bill to exempt from taxation the Marine Hospital at Evansville,.....                                                                           | 312 | 313, 332                | 382       |
| 119      | A bill to incorporate the Goshen and Plymouth Plank Road Company,.....                                                                           | 427 | 428, 485, 550           | 550       |

# BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

866

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                                                       | <i>Reported from Senate.</i> | <i>Proceedings before Passage.</i> | <i>Passed House.</i> | <i>Other Proceedings.</i> |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|------------------------------------|----------------------|---------------------------|
| 120            | A bill to incorporate the Commercial Railroad Company, .....                                                                                                        | 428                          | 428, 484, 524, 581                 |                      |                           |
| 121            | A bill in relation to the jurisdiction of Justices of the Peace in Lawrence county, .....                                                                           | 377                          | 377                                | 377                  |                           |
| 122            | A bill to extend further time to the borrowers of the Sinking and other trust funds, .....                                                                          | 312                          | 313, 516                           | 581                  | 629                       |
| 123            | A bill to incorporate the New Trenton and Southgate Bridge Company, .....                                                                                           | 428                          | 484                                | 550                  |                           |
| 124            | A bill to amend an act to incorporate the Brookville and Connersville Turnpike Company, .....                                                                       | 428                          | 428, 485                           | 550                  |                           |
| 125            | A bill to amend an act entitled an act to authorize the Jeffersonville Railroad Company to issue and secure the payment of bonds, approved December 29, 1849, ..... | 312                          | 313, 319, 382                      | 382                  |                           |
| 126            | A bill to amend an act entitled an act to incorporate the Rushville and Muncietown Railroad Company, approved January 21, 1850, .....                               | 481                          | 482, 551-2-3, 582                  | 583                  |                           |

|     |                                                                                                                                                                     |     |                         |     |          |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-------------------------|-----|----------|
| 127 | A bill to amend chapter 4 of the Revised Code of 1843,.....                                                                                                         | 313 | 313, 319, 382, 500      | 500 |          |
| 129 | A bill for the construction of a sewer at the State Prison,.....                                                                                                    | 341 | 357, 413, 414           | 433 | 467, 505 |
| 130 | A bill declaring Mill Creek, in Morgan county, a public highway,.....                                                                                               | 341 | 357, 384                | 433 |          |
| 131 | A bill to incorporate the New Albany Hotel Company,.....                                                                                                            | 341 | 357, 384                | 433 |          |
| 132 | A bill for the relief of the administrator of the estate of Albert Monson, late of St. Joseph county,.....                                                          | 429 |                         | 429 |          |
| 135 | A bill to amend section 2 of an act entitled an act to amend the laws relating to execution of deeds by order of the probate court, approved January 15, 1849,..... | 463 | 464, 548, 600           | 682 |          |
| 136 | A bill for the relief of Ann Blythestone, of Allen county,.....                                                                                                     | 498 | 539                     | 539 |          |
| 137 | A bill to re-locate a State road in DeKalb county,.....                                                                                                             | 428 | 484                     | 550 |          |
| 139 | A bill to legalize the acts of the late treasurer of Elkhart county, and to extend the time of paying taxes in said county,.....                                    | 341 | 357, 384                |     |          |
| 140 | A bill for the benefit of the Auditor of Ripley county,.....                                                                                                        | 377 | 377, 436, 477           | 477 |          |
| 141 | A bill establishing a State road in the counties of Orange and Crawford,.....                                                                                       | 378 | 378, 436                | 467 |          |
| 142 | A bill to change the time of holding the February term of the Probate of Elkhart county, for the year 1851,.....                                                    | 318 | 319                     | 319 |          |
| 143 | A bill to incorporate a Gas Light Company in the city of Madison,.....                                                                                              | 428 | 463, 548, 585, 734, 735 | 735 | 742      |

# BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

393

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                                   | <i>Reported from Senate.</i> | <i>Proceedings before Passage.</i> | <i>Passed House.</i> | <i>Other Proceedings.</i> |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|------------------------------------|----------------------|---------------------------|
| 144            | A bill to amend an act entitled "an act to incorporate the Connersville and Brownsville Turnpike Company, approved January 16, 1849, . . . . ." | 428                          | 483                                | 550                  |                           |
| 145            | A bill to vacate a portion of a certain State road, . . . . .                                                                                   | 377                          | 377, 436                           | 467                  |                           |
| 146            | A joint resolution on the subject of the sale of the Northern Division of the Central Canal, . . . . .                                          | 498                          | 539, 540                           | 541                  |                           |
| 147            | A bill for the relief of the lessee of the State Prison, . . . . .                                                                              | 498                          | 541                                |                      |                           |
| 148            | A bill in relation to the payment of accounts made by the Constitutional Convention of this State, and for other purposes, . . . . .            | 571                          | 572, 609                           | 609                  |                           |
| 149            | A bill for the encouragement of agriculture, . . . . .                                                                                          | 378                          | 436, 560, 645                      | 646                  | 729                       |
| 150            | A bill providing for locating a State road from Troy, in Perry county, to Spencer, in Owen county, in this State, . . . . .                     | 378                          | 378, 436, 503, 531, 703            | 720                  | 736                       |
| 151            | A bill to incorporate the town of New Winchester, in Hendricks county, . . . . .                                                                | 377                          | 378                                | 467                  |                           |
| 152            | A bill defining the duties of auditor and treasurer, . . . . .                                                                                  |                              |                                    |                      |                           |



|     |                                                                                                                                                    |     |                    |              |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------|-----|--------------------|--------------|
| 153 | of the counties of DeKalb and Noble, and for purposes, . . . . .                                                                                   | 464 | 464, 548           | 585          |
| 154 | A bill to incorporate the Evansville Hotel Company, . . . . .                                                                                      | 429 | 430, 484           | 550          |
| 155 | A bill authorizing county auditors to administer oaths in certain cases therein specified, . . . . .                                               | 377 | 377, 436, 669, 670 | 720          |
| 156 | A bill to amend an act entitled "an act to incorporate the Wayne County Turnpike Company, approved December 5, 1848, . . . . .                     | 428 | 428, 483           | 550          |
| 157 | A bill to change the name of Joseph Grandison Jones to that of Joseph Grandison Talbott, . . . . .                                                 | 341 | 357, 384           | 433          |
| 158 | A bill to consolidate and publish in one act the several acts incorporating the city of Lawrenceburgh, and to revise and amend the same, . . . . . | 537 | 538, 601           | 682          |
| 159 | A bill to prevent clerks and sheriffs purchasing judgments in the court to which they act as clerks and sheriffs, . . . . .                        | 464 | 464, 548           | 585          |
| 160 | A bill to authorize the township trustees of Lawrenceburgh Township, Dearborn county, to assess and collect a free bridge tax, . . . . .           | 277 | 378, 436, 506-7    | 574 (20, 621 |
| 161 | A bill to incorporate the Anderson, Alexandria, and Jonesborough Plank Road Company, . . . . .                                                     | 428 | 428, 556           | 581          |
| 162 | A bill to provide for the incorporation of subordinate Lodges of the Independent Order of Odd Fellows, . . . . .                                   | 481 | 482, 574, 646      | 646          |
|     | A bill to change the next February term of the Probate Court of Hamilton county, . . . . .                                                         | 342 | 358, 384           | 384          |

# BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

870

| Number. | T I T L E.                                                                                                                                                                                            | Repealed from Senate. | Proceedings before passage. | Passed House. | Other Proceedings. |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-----------------------------|---------------|--------------------|
| 163     | A bill to repeal an act entitled "an act to amend an act to require certain statutes to be published in some newspaper at Indianapolis, and for other purposes, approved January 20, 1846, . . . . ." |                       |                             |               |                    |
| 164     | A bill to incorporate the Indiana Fire and Marine Insurance Company, . . . . .                                                                                                                        | 341                   | 358, 384                    |               |                    |
| 165     | A bill to establish and legalize the name of Mary Jacoby, and for other purposes, . . . . .                                                                                                           | 498                   | 544, 588                    | 682           |                    |
| 166     | A bill to incorporate the Indiana Monumental Association, . . . . .                                                                                                                                   | 378                   | 378, 436                    | 467           |                    |
| 169     | A bill to annex the town of Belleville, in the county of Posey, to the town of Mt. Vernon, . . . . .                                                                                                  | 498                   | 544, 588, 635, 676, 722     |               |                    |
| 170     | A bill to amend an act entitled "an act incorporate the Crawfordsville and Wabash Railroad Company, approved January 19, 1846, and the acts amendatory thereto, . . . . ."                            | 378                   |                             | 378           |                    |
| 171     | A bill legalizing the proceedings of a certain Plank Road Company, . . . . .                                                                                                                          | 464                   | 476                         | 476           |                    |
|         |                                                                                                                                                                                                       | 378                   | 367, 378                    | 368           |                    |

|     |                                                                                                                            |     |                                                                       |     |          |
|-----|----------------------------------------------------------------------------------------------------------------------------|-----|-----------------------------------------------------------------------|-----|----------|
| 172 | A bill to apportion the Senators and Representatives for the next five years, . . . . .                                    | 498 | 498, 511, 568, 588, 597, 614 to 616, 629, 631 to 635, 653 to 657, 687 | 687 | 722, 725 |
| 173 | A bill to provide for a justice of the peace in West Franklin, Posey county, . . . . .                                     | 378 |                                                                       | 433 |          |
| 174 | A bill relative to the Western Plank Road Company in Tippecanoe county, . . . . .                                          | 498 | 545, 589                                                              | 682 |          |
| 175 | A bill to amend an act entitled "an act to incorporate the Lafayette Plank Road Company," approved Jan. 3, 1849, . . . . . | 430 | 433, 483                                                              | 551 |          |
| 176 | A bill declaring certain laws in force in the counties of DeKalb, Noble, and Steuben, . . . . .                            | 428 | 484                                                                   | 551 |          |
| 177 | A bill authorizing the Western Plank Road Company to issue and sell bonds, . . . . .                                       | 429 | 430, 484, 553, 679                                                    | 679 | 729      |
| 178 | A bill to prevent the consolidation of indictments in certain cases in Dearborn county, . . . . .                          | 430 | 430, 483                                                              | 551 |          |
| 179 | A bill in relation to a certain road and street therein named, . . . . .                                                   | 427 | 427, 484                                                              | 484 |          |
| 182 | A bill to organize a Court of Common Pleas in the county of Jefferson, . . . . .                                           | 429 | 129, 484, 639, 640                                                    | 640 | 729      |
| 183 | A bill declaring a part of Poison creek, in Perry county, a public highway, . . . . .                                      | 428 | 485                                                                   | 551 |          |
| 184 | A bill to incorporate the Belleville Branch Railroad Company, . . . . .                                                    | 428 | 428, 562, 602                                                         | 602 |          |
| 185 | A bill to locate a State road from Doverhill, in Martin county, to Bloomington, in Monroe county, . . . . .                | 464 |                                                                       | 548 |          |
| 186 | A joint resolution in relation to the World's Fair, . . . . .                                                              | 427 | 427, 484                                                              | 551 |          |
| 187 | A bill in relation to the borough of Vincennes, . . . . .                                                                  | 427 | 427                                                                   | 467 |          |

# BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

872

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                       | <i>Reported from Senate.</i> | <i>Proceedings before passage.</i> | <i>Passed House.</i> | <i>Other Proceedings.</i> |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------|------------------------------|------------------------------------|----------------------|---------------------------|
| 188            | A bill to amend an act entitled "an act to incorporate the Moreshill and Aurora Turnpike Company," approved February 15, 1848,..... | 464                          | 548                                | 548                  | 595                       |
| 189            | A bill for the relief of Barbara Elder, of the county of Union, .....                                                               | 464                          | 464, 548                           | 585                  |                           |
| 191            | A bill to amend an act entitled "an act to incorporate the town of Clinton, in Vermillion county," approved Feb. 14, 1848,.....     | 427                          | 427, 483                           | 551                  |                           |
| 192            | A bill transferring the duties of Agent of the Surplus Revenue Fund of Scott county, to the Auditor of said county, .....           | 427                          | 427                                | 427                  |                           |
| 193            | A bill to fix a tax on a museum in Lafayette, .....                                                                                 | 430                          | 430, 483                           | 551                  |                           |
| 194            | A bill to legalize the order of the publication of the delinquent list for the year 1850, in DeKalb county, ..                      | 427                          | 427, 485                           | 551                  |                           |
| 195            | A bill in relation to streets and alleys in the town of Lexington, in Scott county, .....                                           | 428                          | 428, 483                           | 551                  |                           |
| 196            | A bill to amend an act entitled "an act to incorporate the West Delphi Bridge Company," approved Feb.                               |                              |                                    |                      |                           |

|                                                                                                                                                                          |     |                    |     |     |     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|--------------------|-----|-----|-----|
| 15, 1833, and an act entitled "an act to amend said act," approved Jan. 23, 1847, .....                                                                                  | 427 | 461, 549           | 427 | 585 | 729 |
| 197 A bill to repeal an act therein named, .....                                                                                                                         | 461 |                    |     |     |     |
| 198 A bill to incorporate the town of Pendleton, in Madison county, .....                                                                                                | 428 | 428                |     | 428 |     |
| 199 A bill to amend an act entitled "an act to establish a State road therein named, .....                                                                               | 461 | 461                |     | 461 |     |
| 200 A bill to amend the charter of the Madison and Brownstown Turnpike Company, .....                                                                                    | 461 | 461, 548, 585      |     |     |     |
| 202 A bill for the benefit of the Mt. Vernon and New Harmony Plank Road Company, .....                                                                                   | 538 | 542, 589           |     | 683 |     |
| 204 A bill to amend sections 143 and 149, of chapter 5, article 13, of the Revised Statutes of 1843, .....                                                               | 538 | 542, 589, 691, 695 |     |     |     |
| 205 A bill to change the name of Levi Gear to that of Levi Frash, .....                                                                                                  | 461 | 461                |     | 585 |     |
| 206 A bill to amend an act entitled "an act to amend the 15th chapter of the Revised Statutes," approved Jan. 26, 1847, so far as relates to the county of Shelby, ..... | 538 | 542, 549, 589      |     | 683 |     |
| 207 A bill to amend article 5, chapter 48, of the Revised Statutes of 1843, in relation to the writ of <i>ad quod damnum</i> , .....                                     | 703 | 703, 704, 719, 727 |     | 727 |     |
| 208 A bill to incorporate the Danville and White Lick Plank Road Company, .....                                                                                          | 465 | 465, 549           |     | 585 |     |
| 209 A bill for the relief of Hezekiah A. Sutton, of Jackson county, .....                                                                                                | 464 | 464, 549           |     | 549 |     |
| 212 A bill for the relief of David Nevett of Dearborn County, .....                                                                                                      | 482 | 482, 574           |     |     |     |

# BILLS AND JOINT RESOLUTIONS OF THE SENTAE--Continued.

874

| <i>Number.</i> | <i>TITLE.</i>                                                                                                              | <i>Reported from<br/>Senate.</i> | <i>Proceedings before<br/>passage.</i> | <i>Passed House.</i> | <i>Other Proceedings.</i> |
|----------------|----------------------------------------------------------------------------------------------------------------------------|----------------------------------|----------------------------------------|----------------------|---------------------------|
| 213            | A bill to change the name of Ann Abel, of Martin county, to Ann Henderson,.....                                            | 482                              | 482                                    | 482                  |                           |
| 214            | A bill in relation to the county surveyor of Putnam county,.....                                                           | 498                              | 545                                    | 590                  |                           |
| 215            | A bill to incorporate the Danville and Claysville Plank Road Company,.....                                                 | 482                              | 574, 646                               | 646                  |                           |
| 217            | A bill in relation to the Northern Indiana Railroad Company, .....                                                         | 513                              |                                        | 513                  |                           |
| 218            | A bill to legalize the sale of lands and town lots for taxes in Spencer county, on the first Monday of January, 1851,..... | 538                              | 542                                    | 590                  |                           |
| 219            | A bill to amend the general road law so far as Putnam county is concerned,.....                                            | 498                              | 545                                    | 590                  |                           |
| 220            | A bill to authorize the extension of the Knightstown and Shelbyville Railroad Company,.....                                | 644                              | 644, 681                               | 681                  | 726                       |
| 221            | A bill to amend the charter of the town of Bloomington, in the county of Monroe,.....                                      | 538                              |                                        | 542                  |                           |

|     |                                                                                                                                                                                           |     |               |     |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|---------------|-----|
| 222 | A bill for the relief of John H. Cutter, surviving partner of B. G. Cutter and Co.,.....                                                                                                  | 571 | 572, 680      | 680 |
| 223 | A bill to authorize certain school districts in Adams county to draw their proportion of the common school fund,.....                                                                     | 571 | 572, 680      | 720 |
| 225 | A bill to change the name of Howard Allen to Howard Werts,.....                                                                                                                           | 507 |               | 507 |
| 226 | A bill to locate and establish a state road in the counties of Allen and Adams,.....                                                                                                      | 538 |               | 542 |
| 227 | A bill to authorize Wm. M. Millen, administrator of the estate of Joseph K. Hemphill, to make a deed to John Vawter,.....                                                                 | 538 | 544           | 585 |
| 228 | A bill to incorporate the Peru Hotel Company,.....                                                                                                                                        | 571 |               | 572 |
| 229 | A bill to amend an act entitled an act to incorporate the Centreville and Abington Turnpike Company, approved Feb. 12, 1848,.....                                                         | 538 | 544, 590      |     |
| 231 | A bill to vacate a part of Jennings and Jackson streets, in the town of Rushville,.....                                                                                                   | 538 | 544, 590      | 683 |
| 232 | A bill to amend the common school law,.....                                                                                                                                               | 607 | 607, 684, 720 |     |
| 235 | A bill to amend an act entitled an act to amend an act entitled an act to incorporate the Richmond and Miami Rail Road Company, approved Jan. 10, 1846, approved the 24th Jan. 1851,..... | 644 | 644           |     |
| 236 | A bill to amend an act entitled an act to incorporate the Knightstown and Shelbyville Railroad Company,.....                                                                              | 538 | 541, 590      |     |
| 238 | A bill to authorize the circuit courts to certify certain chancery causes to the Supreme Court,.....                                                                                      | 571 | 572, 680      |     |

# BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

876

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                      | <i>Reported from Senate.</i> | <i>Proceedings before Passage.</i> | <i>Passed House.</i> | <i>Other Proceedings.</i> |
|----------------|------------------------------------------------------------------------------------------------------------------------------------|------------------------------|------------------------------------|----------------------|---------------------------|
| 239            | A bill to authorize the voters of Jackson township in the county of Blackford, to vote at Hartford in said county,.....            | 538                          | 590                                | 683                  |                           |
| 240            | A bill to incorporate the town of Bluffton, in Wells county,.....                                                                  | 538                          |                                    | 544                  |                           |
| 241            | A bill to authorize the construction of viaducts under public highways,.....                                                       | 538                          | 544                                | 683                  |                           |
| 242            | A bill to amend the act entitled an act to incorporate the Rushville and Muncietown Railroad Company, approved Jan. 21, 1850,..... | 676                          | 676                                |                      |                           |
| 243            | A bill to amend an act entitled an act to incorporate the Decatur, Portland and Winchester Plank Road Company,.....                | 718                          | 718                                | 718                  |                           |
| 245            | A bill to suppress the sale of intoxicating liquors in Jefferson township in the county of Switzerland,...                         | 538                          | 544                                |                      |                           |
| 247            | A bill for the relief of Michael Grannin, Jr., of Daviess county,.....                                                             | 572                          | 572, 680, 718                      | 719                  |                           |



|     |                                                                                                                                                                         |     |                    |     |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|--------------------|-----|
| 248 | A bill to amend an act entitled an act to incorporate the Indianapolis and Brownburgh Plank Road Company, approved January 18, 1850,.....                               | 574 | 574, 681           | 681 |
| 249 | A preamble and act relative to vending spirituous liquors in Green township, in Hancock county,...                                                                      | 574 | 574, 681           | 720 |
| 251 | A bill to amend an act incorporating the Wabash Manual Labor College and Teachers' Seminary, approved January 15, 1834,.....                                            | 575 | 591                | 592 |
| 252 | A bill to amend an act entitled an act to locate a state road from Crawfordsville, in Montgomery county, to Concord, Tippecanoe county, approved January 21, 1850,..... | 574 | 574                | 574 |
| 253 | A bill to legalize the survey and location of the Vistula state road, in Elkhart county,.....                                                                           | 574 | 681, 682           | 682 |
| 254 | A bill to incorporate the Aurora and Hartford Turnpike Company,.....                                                                                                    | 507 | 507                | 720 |
| 255 | A bill to incorporate the Liberty and Centreville Railroad Company,.....                                                                                                | 676 | 676, 684, 722      | 636 |
| 256 | A bill in relation to bills of exception,.....                                                                                                                          | 572 | 572                | 683 |
| 257 | A bill fixing the per diem pay of members of the Legislature,.....                                                                                                      | 572 | 572, 573, 646, 647 | 681 |
| 259 | A bill for the benefit of the Edinburgh and Western Plank Road Company,.....                                                                                            | 572 | 573, 681           | 607 |
| 260 | A bill to incorporate the Columbus Plank Road Company,.....                                                                                                             | 607 |                    | 684 |
| 261 | A bill amendatory of an act entitled an act to incorporate the Ohio and Mississippi Railroad Company,.....                                                              | 607 |                    |     |

## BILLS AND JOINT RESOLUTIONS OF THE SENATE—Continued.

| Number. | TITLE.                                                                                                                      | Reported from Senate. | Proceedings before passage. | Other Proceedings. |  |
|---------|-----------------------------------------------------------------------------------------------------------------------------|-----------------------|-----------------------------|--------------------|--|
|         |                                                                                                                             |                       |                             | Passed Senate.     |  |
| 262     | A bill to legalize certain acts of County Auditors, . .                                                                     | 272                   | 273, 681, 723, 727          | 727                |  |
| 264     | A bill for the relief of Daniel Stowell, of St. Joseph county, . . . . .                                                    | 644                   | 644                         | 688                |  |
| 265     | A bill to incorporate the Central Canal Manufacturing, Hydraulic, and Water Works Company, . .                              | 675                   | 675                         | 675                |  |
| 266     | A joint resolution in relation to the interest of the State in the Madison and Indianapolis Railroad Company, . . . . .     | 676                   | 676, 711, 717               |                    |  |
| 267     | A bill in relation to the sale of spirituous liquors in Jefferson township, in Wayne county, . . . . .                      | 607                   | 607                         | 683                |  |
| 268     | A bill to exempt guardians from the payment of Clerk's fees, in certain cases, . . . . .                                    | 622                   | 622, 685                    | 685                |  |
| 270     | A bill to authorize the commissioners of Ohio county to collect tolls at a certain bridge therein named, .                  | 622                   | 622                         | 622                |  |
| 271     | A bill to amend an act entitled an act to incorporate the city of Richmond, Wayne county, approved Feb. 24, 1840, . . . . . | 622                   | 622, 685                    | 720                |  |

|     |                                                                                                                                                                    |     |          |     |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----------|-----|
| 273 | A bill in relation to State roads in Johnson county,.....                                                                                                          | 622 | 622      | 622 |
| 274 | A bill relative to township elections, when there is more than one precinct in any township, in the counties of Daviess and Martin,.....                           | 703 | 704      | 704 |
| 276 | A bill to locate a State road in Warren and Fountain counties,.....                                                                                                | 622 | 622, 685 | 685 |
| 278 | A bill to incorporate the Clinton Draw Bridge Company,.....                                                                                                        | 644 | 644      | 688 |
| 279 | A bill for the benefit of the Agent of State,.....                                                                                                                 | 644 | 644      | 688 |
| 280 | A bill to authorize the board of commissioners of Martin county to order a vote to be taken in a certain case relating to the seat of justice in said county,..... | 644 |          | 689 |
| 281 | A bill to relocate the seat of justice for Fountain county,.....                                                                                                   | 644 | 644      | 687 |
| 282 | A bill to provide for the payment of the debts and liabilities of the Hagerstown Canal Company,....                                                                | 677 | 723, 728 | 728 |
| 283 | A bill to amend an act entitled an act to incorporate the Richmond and Newport Turnpike Company, approved January 5, 1849,.....                                    | 678 | 678      | 678 |
| 284 | A bill giving additional time to the Hancock Circuit Court,.....                                                                                                   | 677 | 677      | 677 |
| 285 | A bill to incorporate the Widow's and Orphan's Asylum at Indianapolis,.....                                                                                        | 677 | 678      | 678 |
| 287 | A bill to incorporate the Indiana Female College,...                                                                                                               | 678 | 678      | 678 |
| 288 | A bill to authorize the erection of a mill dam across the Wabash river, in Cass county,.....                                                                       | 721 |          | 721 |

# BILLS AND JOINT RESOLUTIONS OF THE SENATE.—Continued.

683

| <i>Number.</i> | <i>TITLE.</i>                                                                                                                     | <i>Reported from Senate.</i> | <i>Proceedings before passage.</i> | <i>Passed House.</i> | <i>Other Proceedings.</i> |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------|------------------------------|------------------------------------|----------------------|---------------------------|
| 289            | A bill in relation to common school examiners, . . . .                                                                            | 721                          | 721                                |                      |                           |
| 290            | A bill to authorize the city of Lafayette to subscribe to the stock of the Lafayette and Indianapolis Railroad Company, . . . . . | 676                          | 676, 726                           | 726                  |                           |
| 291            | A bill for the protection of an orphan, . . . . .                                                                                 | 678                          | 678                                | 678                  |                           |
| 292            | A bill for the relief of the estate of John Riley, late of Martin county, deceased, . . . . .                                     | 677                          | 677, 723                           | 723                  |                           |
| 293            | A bill to change the time of holding the Probate Court in the county of Grant, . . . . .                                          | 677                          | 677                                | 677                  |                           |
| 294            | A bill to incorporate the Bedford Central Plank Road Company, . . . . .                                                           | 702                          | 702                                | 702                  |                           |
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| 297            | A bill to amend the practice in transitory actions, . .                                                                           | 703                          | 704, 723, 739                      |                      |                           |
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|                           |     |
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| Communication from, ..... | 73  |
| Vote of thanks to, .....  | 740 |

### DOWLING, THOMAS.

|                           |     |
|---------------------------|-----|
| Communication from, ..... | 304 |
|---------------------------|-----|

### DOWNEY, ALEXANDER C.

|                                                 |    |
|-------------------------------------------------|----|
| Elected Judge of the 3d Judicial Circuit, ..... | 72 |
|-------------------------------------------------|----|

### DUMONT, EBENEZER.

|                                                                                                                               |                              |
|-------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| Appeared and was qualified, .....                                                                                             | 3                            |
| Elected Speaker, .....                                                                                                        | 5                            |
| Address of, .....                                                                                                             | 5                            |
| Petitions by, .....                                                                                                           | 84, 244, 273, 292, 295, 343  |
| Resolutions by, .....                                                                                                         | 117, 118, 151, 404, 529, 590 |
| Bills and joint resolutions by, 81, 96, 99, 167, 173, 205, 249, 282,<br>310, 332, 404, 422, 431, 438,<br>592, 666, 704        |                              |
| Motions by, 96, 108, 109, 136, 167, 397, 403, 431, 477, 448, 590,<br>593, 595, 604, 621, 623, 657, 658, 659, 660, 685,<br>688 |                              |
| Leave granted to withdraw petitions, .....                                                                                    | 513, 621                     |
| Address in relation to the Deaf and Dumb Asylum, .....                                                                        | 492                          |
| Valedictory address of, (See Speaker), .....                                                                                  | 492                          |

### ECKLES, DELANA R.

|                                                  |     |
|--------------------------------------------------|-----|
| Elected Judge of the 7th Judicial Circuit, ..... | 119 |
|--------------------------------------------------|-----|

### EDWARDS, WILLIAM K.

|                                                                                                                                                                                                                        |                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| Appeared and was qualified, .....                                                                                                                                                                                      | 5                         |
| Petitions by, .....                                                                                                                                                                                                    | 98, 246                   |
| Reports by, 9, 148, 180, 216, 220, 260, 265, 335, 345, 363, 416, 452,<br>453, 457, 473, 500, 559, 593, 600, 602, 782, 787                                                                                              |                           |
| Resolutions by, .....                                                                                                                                                                                                  | 10, 60, 95, 307, 477, 787 |
| Bills and joint resolutions by, .....                                                                                                                                                                                  | 49, 204, 308, 394, 566    |
| Motions by, 9, 48, 80, 96, 105, 106, 126, 133, 152, 191, 220, 229,<br>232, 239, 252, 258, 292, 317, 325, 329, 348, 360,<br>363, 373, 424, 430, 443, 484, 553, 602, 614, 615,<br>617, 645, 646, 679, 680, 689, 693, 703 |                           |



## ELECTIONS.

|                                                     |          |
|-----------------------------------------------------|----------|
| Of Speaker, .....                                   | 5        |
| Of Principal Clerk, .....                           | 7        |
| Of Assistant Clerk, .....                           | 7        |
| Of Door-keeper, .....                               | 7        |
| Of Judge of the Third Judicial Circuit, .....       | 72       |
| Of Judge of the Marion Court of Common Pleas, ..... | 95       |
| Of State Librarian, .....                           | 97       |
| Of Judge of the Ninth Judicial Circuit, .....       | 107      |
| Of Judge of the Seventh Judicial Circuit, .....     | 119      |
| Of United States Senator, .....                     | 163      |
| Of Trustee of the Wabash and Erie Canal, .....      | 188      |
| Of Judge of the Sixth Judicial Circuit, .....       | 196      |
| Of Bank Director, .....                             | 210      |
| Of Warden of the State Prison, .....                | 193      |
| Of Commissioners of the Insane Hospital, .....      | 625, 626 |

## ELKINS, BERKIT M.

|                                   |                              |
|-----------------------------------|------------------------------|
| Appeared and was qualified, ..... | 3                            |
| Petitions by, .....               | 213, 636                     |
| Reports by, .....                 | 260, 441, 610, 660, 666, 706 |
| Resolution by, .....              | 641                          |
| Bills by, .....                   | 50, 139, 168, 509            |
| Motions by, .....                 | 50, 140                      |
| Granted leave of absence, .....   | 688, 724                     |

## ELLIOTT, JEHU T.

|                                                    |     |
|----------------------------------------------------|-----|
| Elected Judge of the Sixth Judicial Circuit, ..... | 196 |
|----------------------------------------------------|-----|

## ESSEX, THOMAS.

|                                    |                            |
|------------------------------------|----------------------------|
| Appeared and was qualified, .....  | 3                          |
| Petitions by, .....                | 56, 113, 235               |
| Reports by, .....                  | 172, 300, 618              |
| Resolutions by, .....              | 50, 72, 74, 87             |
| Motions by, .....                  | 57, 73, 301, 321, 373, 431 |
| Leave of absence granted to, ..... | 363                        |

## FLEECE, GEORGE.

|                                   |   |
|-----------------------------------|---|
| Appeared and was qualified, ..... | 4 |
|-----------------------------------|---|

|                                      |                         |
|--------------------------------------|-------------------------|
| Reports by,.....                     | 192, 299, 415, 456      |
| Bills and joint resolutions by,..... | 273, 332                |
| Motions by,.....                     | 218, 313, 360, 634, 655 |

### FRANKLIN, WILLIAM M.

|                                                                    |                                                   |
|--------------------------------------------------------------------|---------------------------------------------------|
| Appeared and was qualified,.....                                   | 4                                                 |
| Petition by,.....                                                  | 342                                               |
| Reports by, 147, 148, 215, 217, 282, 334, 337, 338, 339, 397, 452, | 500, 516, 518, 541, 598, 599                      |
| Resolutions by,.....                                               | 9, 61, 87, 102, 188                               |
| Bills by,.....                                                     | 66, 76, 88, 461, 509, 592                         |
| Motions by, 57, 64, 79, 105, 142, 178, 207, 209, 214, 219, 223     | 236,                                              |
|                                                                    | 251, 252, 279, 293, 316, 323, 337, 376, 399, 402, |
|                                                                    | 405, 419, 425, 431, 436, 444, 480, 487, 500,      |
|                                                                    | 511, 521, 526, 531, 541, 542, 557, 722, 739       |

### FREE CONFERENCE.

|                                                  |     |
|--------------------------------------------------|-----|
| Committee appointed on Senate bill No. 103,..... | 596 |
| Committee appointed on House bill No. 481,.....  | 740 |
| Committee appointed on House bill No. 156,.....  | 741 |

### GARRIGUS, JEPHTHA.

|                           |     |
|---------------------------|-----|
| Elected Door-keeper,..... | 7   |
| Vote of thanks to,.....   | 740 |

### GENTRY, SAMUEL.

|                                                                    |                                        |
|--------------------------------------------------------------------|----------------------------------------|
| Appeared and was qualified,.....                                   | 4                                      |
| Petitions by,.....                                                 | 70, 342, 472, 555                      |
| Reports by, 86, 133, 199, 265, 271, 297, 332, 346, 441, 458, 487,  | 533, 584, 610, 619, 696, 704, 780, 782 |
| Resolutions by,.....                                               | 11, 102                                |
| Bills and joint resolutions by,.....                               | 121, 139, 173, 308, 460                |
| Motions by, 104, 111, 158, 191, 209, 258, 315, 484, 544, 555, 619, | 659, 698, 728                          |
| Leave of absence granted to,.....                                  | 126                                    |
| Granted leave to withdraw petitions,.....                          | 336, 422, 727, 619                     |

## GOODMAN, WILLIAM.

|                                  |          |
|----------------------------------|----------|
| Appeared and was qualified,..... | 5        |
| Bill by,.....                    | 121      |
| Motions by,.....                 | 313, 680 |
| Leave of absence granted,.....   | 614      |

## GOODWIN, BENJAMIN.

|                                                                                                                                                                   |                                  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| Appeared and was qualified,.....                                                                                                                                  | 3                                |
| Petitions by,.....                                                                                                                                                | 333, 513                         |
| Reports by,.....                                                                                                                                                  | 616, 696, 773, 776               |
| Resolutions by,.....                                                                                                                                              | 72, 225, 249, 306, 365, 680      |
| Bills by,.....                                                                                                                                                    | 77, 137, 140, 248, 292, 583, 620 |
| Motions by, 120, 141, 149, 162, 164, 178, 212, 219, 228, 232, 236,<br>240, 243, 248, 284, 292, 322, 329, 430, 382, 401,<br>437, 608, 624, 659, 698, 719, 728, 741 |                                  |

## GOVERNOR.

|                          |     |
|--------------------------|-----|
| Annual message of,.....  | 21  |
| Communication from,..... | 81  |
| Communication from,..... | 119 |
| Communication from,..... | 174 |
| Communication from,..... | 467 |
| Communication from,..... | 579 |

## GRAFF, GEORGE B.

|                                                                                                                                               |                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| Appeared and was qualified,.....                                                                                                              | 4                  |
| Petitions by,.....                                                                                                                            | 56, 71             |
| Reports by,.....                                                                                                                              | 150, 171, 266, 714 |
| Resolutions by,.....                                                                                                                          | 11, 236, 249       |
| Bills by,.....                                                                                                                                | 247, 573, 604      |
| Motions by, 119, 126, 165, 179, 188, 218, 222, 274, 267, 315, 347,<br>352, 355, 373, 383, 402, 403, 442, 443, 485, 545,<br>579, 595, 690, 729 |                    |
| Granted leave to withdraw a petition,.....                                                                                                    | 274                |

## HALL, JOHN.

|                                  |   |
|----------------------------------|---|
| Appeared and was qualified,..... | 4 |
|----------------------------------|---|

|                 |   |   |   |   |   |        |
|-----------------|---|---|---|---|---|--------|
| Resolutions by, | - | - | - | - | - | 60, 61 |
| Bill by,        | - | - | - | - | - | 140    |
| Motion by,      | - | - | - | - | - | 251    |

### HAMILTON, JOHN R.

|                             |   |   |   |                                   |                         |          |
|-----------------------------|---|---|---|-----------------------------------|-------------------------|----------|
| Appeared and was qualified, | - | - | - | -                                 | -                       | 4        |
| Petitions by,               | - | - | - | -                                 | -                       | 98, 245  |
| Reports by,                 | - | - | - | -                                 | -                       | 270, 614 |
| Bills by,                   | - | - | - | -                                 | 226, 358, 438, 478, 555 |          |
| Motions by,                 | - | - | - | 191, 240, 354, 483, 549, 587, 614 |                         |          |

### HAMMOND, WILLIAM P.

|                             |                                                       |   |   |   |                        |                    |
|-----------------------------|-------------------------------------------------------|---|---|---|------------------------|--------------------|
| Appeared and was qualified, | -                                                     | - | - | - | -                      | 4                  |
| Petitions by,               | -                                                     | - | - | - | -                      | 58, 371, 472       |
| Reports by,                 | -                                                     | - | - | - | 83, 236, 345, 425, 566 |                    |
| Bills by,                   | -                                                     | - | - | - | -                      | 211, 479, 562      |
| Motions by,                 | 90, 145, 162, 164, 183, 191, 206, 219, 232, 243, 479. |   |   |   |                        | 562, 568, 710, 714 |

### HARRIS, THOMAS.

|                              |   |   |   |   |   |     |
|------------------------------|---|---|---|---|---|-----|
| Appeared and was qualified,  | - | - | - | - | - | 4   |
| Leave of absence granted to, | - | - | - | - | - | 363 |

### HARRISON, WILLIAM M.

|                              |   |                                       |   |   |                             |               |
|------------------------------|---|---------------------------------------|---|---|-----------------------------|---------------|
| Appeared and was qualified,  | - | -                                     | - | - | -                           | 4             |
| Petitions by,                | - | -                                     | - | - | 278, 280, 343, 558, 642     |               |
| Reports by,                  | - | -                                     | - | - | -                           | 302, 381, 508 |
| Resolutions by,              | - | -                                     | - | - | -                           | 60, 138       |
| Bills by,                    | - | -                                     | - | - | 77, 142, 423, 511, 568, 659 |               |
| Motions by,                  | - | 43, 313, 384, 446, 447, 448, 475, 586 |   |   |                             |               |
| Leave of absence granted to, | - | -                                     | - | - | -                           | 182, 210, 242 |

### HATHAWAY, CARTER D.

|                     |   |   |   |   |   |     |
|---------------------|---|---|---|---|---|-----|
| Communication from, | - | - | - | - | - | 385 |
|---------------------|---|---|---|---|---|-----|

## HAYWOOD, HENRY.

|                             |   |   |   |   |   |               |
|-----------------------------|---|---|---|---|---|---------------|
| Appeared and was qualified, | - | - | - | - | - | 5             |
| Petition by,                | - | - | - | - | - | 371           |
| Bills by,                   | - | - | - | - | - | 248, 309, 461 |
| Motions by,                 | - | - | - | - | - | 140, 274, 309 |

## HICKS, GILDEROY.

|                                       |                                                         |   |                     |                |                |               |
|---------------------------------------|---------------------------------------------------------|---|---------------------|----------------|----------------|---------------|
| Appeared and was qualified,           | -                                                       | - | -                   | -              | -              | 4             |
| Petitions by,                         | -                                                       | - | -                   | -              | -              | 185, 443, 515 |
| Reports by,                           | -                                                       | - | 277, 311, 352, 565, | 602, 664, 711, | 712            |               |
| Resolutions by,                       | -                                                       | - | -                   | -              | 107, 478, 624, | 719           |
| Bills by,                             | -                                                       | - | -                   | -              | -              | 423, 528, 617 |
| Motions by,                           | 12, 15, 21, 60, 61, 62, 66, 68, 99, 105, 106, 133, 144, |   |                     |                |                |               |
|                                       | 164, 219, 251, 293, 330, 401, 426, 480, 489, 511, 531,  |   |                     |                |                |               |
|                                       | 613, 627, 629, 664, 672, 681, 692, 712, 727, 777        |   |                     |                |                |               |
| Granted leave to withdraw a petition, | -                                                       | - | -                   | -              | -              | 739           |

## HOSBROOK, PERCY.

|                              |   |                                        |                                   |   |               |     |
|------------------------------|---|----------------------------------------|-----------------------------------|---|---------------|-----|
| Appeared and was qualified,  | - | -                                      | -                                 | - | -             | 4   |
| Petitions by,                | - | -                                      | 67, 231, 256, 342, 439, 442, 443, |   | 513           |     |
| Report by,                   | - | -                                      | -                                 | - | -             | 526 |
| Bills and joint resolutions, | - | -                                      | -                                 | - | 96, 237, 372, | 603 |
| Resolutions by,              | - | -                                      | -                                 | - | 8, 59, 204,   | 225 |
| Motions by,                  | - | 96, 109, 156, 199, 218, 235, 540, 681, |                                   |   | 723           |     |
| Leave of absence granted to, | - | -                                      | -                                 | - | -             | 405 |

## HOUGHMAN, GABRIEL.

|                              |   |   |   |   |   |               |
|------------------------------|---|---|---|---|---|---------------|
| Appeared and was qualified,  | - | - | - | - | - | 4             |
| Petitions by,                | - | - | - | - | - | 280, 514      |
| Bills by,                    | - | - | - | - | - | 309, 423      |
| Leave of absence granted to, | - | - | - | - | - | 126, 182, 210 |

## HUBBARD, BUTLER.

|                             |   |   |   |   |   |               |
|-----------------------------|---|---|---|---|---|---------------|
| Appeared and was qualified, | - | - | - | - | - | 4             |
| Petitions by,               | - | - | - | - | - | 199, 410, 513 |
| Reports by,                 | - | - | - | - | - | 224, 459      |
| Motion by,                  | - | - | - | - | - | 162           |

## HUMPHREYS, ANDREW.

|                                                                                                                                                                                 |                                                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| Appeared and was qualified, - - - - -                                                                                                                                           | 4                                               |
| Resolutions by, - - - - -                                                                                                                                                       | 15, 48, 62, 96, 118, 138, 225                   |
| Bills by, - - - - -                                                                                                                                                             | 88, 121, 181, 192, 278, 374, 390, 438, 567, 696 |
| Motions by, 12, 48, 68, 79, 85, 118, 182, 212, 220, 234, 240, 246, 251, 258, 284, 290, 323, 325, 331, 332, 342, 361, 384, 405, 433, 434, 436, 479, 656, 687, 698, 703, 725, 735 |                                                 |
| Leave of absence granted to, - - - - -                                                                                                                                          | 505                                             |
| Granted leave to withdraw a petition, - - - - -                                                                                                                                 | 420                                             |

## HUTCHINSON, ISAAC.

|                                                                      |                                        |
|----------------------------------------------------------------------|----------------------------------------|
| Appeared and was qualified, - - - - -                                | 5                                      |
| Petitions by, - - - - -                                              | 100, 161, 185, 199, 213, 333           |
| Reports made by, - - - - -                                           | 222, 280, 335, 419, 420, 443, 458, 459 |
| Resolution by, - - - - -                                             | 85                                     |
| Bills and joint resolutions by, 63, 83, 142, 173, 192, 307, 309, 371 |                                        |
| Motions by, - - - - -                                                | 43, 137, 182, 305, 328, 639            |
| Leave of absence granted to, - - - - -                               | 126, 182                               |

## INSANE, HOSPITAL FOR.

|                                                                                             |     |
|---------------------------------------------------------------------------------------------|-----|
| Report of the Commissioners of, - - - - -                                                   | 143 |
| Report of the Medical Superintendent of, - - - - -                                          | 143 |
| Report of the joint committee in relation to the charges against the officers of, - - - - - | 714 |

## ISOM, GEORGE.

|                                       |   |
|---------------------------------------|---|
| Appeared and was qualified, - - - - - | 4 |
|---------------------------------------|---|

## JACKSON, NEWTON J.

|                                       |                                   |
|---------------------------------------|-----------------------------------|
| Appeared and was qualified, - - - - - | 3                                 |
| Petitions by, - - - - -               | 161, 514, 557, 613                |
| Reports by, - - - - -                 | 224, 362, 487, 619, 630, 667, 733 |
| Resolution by, - - - - -              | 151                               |
| Bills by, - - - - -                   | 82, 141, 381, 567, 643, 679       |
| Motions by, - - - - -                 | 82, 90, 140, 218, 219, 728        |

## JOHNSTON, ARCHIBALD.

|                                                                |                                   |
|----------------------------------------------------------------|-----------------------------------|
| Appeared and was qualified, - - - - -                          | 4                                 |
| Petitions by, - - - - -                                        | 372, 473                          |
| Reports by, - - - - -                                          | 348, 476, 564, 566, 694           |
| Resolutions by, - - - - -                                      | 10, 21, 191, 340, 642, 781        |
| Bills by, - - - - -                                            | 189, 619                          |
| Motions by, 10, 48, 61, 82, 334, 448, 464, 466, 590, 621, 634, | 645, 690, 701, 706, 710, 719, 721 |
| Granted leave to withdraw a petition, - - - - -                | 621                               |

## JONES, JOHN B.

|                                                |                             |
|------------------------------------------------|-----------------------------|
| Appeared and was qualified, - - - - -          | 4                           |
| Petitions by, - - - - -                        | 56, 84, 213, 333, 472, 636  |
| Reports by, - - - - -                          | 101, 301, 628               |
| Resolution by, - - - - -                       | 59                          |
| Bills by, - - - - -                            | 189, 307-8, 422, 567, 603   |
| Motions by, - - - - -                          | 61, 242, 273, 472, 621, 649 |
| Leave granted to withdraw petitions, - - - - - | 621, 694                    |

## JORDAN, RUSSELL.

|                                       |                        |
|---------------------------------------|------------------------|
| Appeared and was qualified, - - - - - | 4                      |
| Petition by, - - - - -                | 372                    |
| Reports by, - - - - -                 | 353, 404, 697          |
| Resolution by, - - - - -              | 76                     |
| Motions by, - - - - -                 | 64, 404, 612, 627, 658 |

## JUDGE.

|                                                             |     |
|-------------------------------------------------------------|-----|
| Of the third Judicial Circuit, election of, - - - - -       | 72  |
| Of the Marion Court of Common Pleas, election of, - - - - - | 95  |
| Of the ninth Judicial Circuit, election of, - - - - -       | 107 |
| Of the seventh Judicial Circuit, election of, - - - - -     | 119 |
| Of the sixth Judicial Circuit, election of, - - - - -       | 196 |

## LANDER, EDWARD.

|                                                              |    |
|--------------------------------------------------------------|----|
| Elected Judge of the Marion Court of Common Pleas, - - - - - | 95 |
|--------------------------------------------------------------|----|

### LANK, ELZA.

|                              |   |                                             |   |   |                              |             |
|------------------------------|---|---------------------------------------------|---|---|------------------------------|-------------|
| Appeared and was qualified,  | - | -                                           | - | - | -                            | 5           |
| Petitions by,                | - | 161, 169, 185, 199, 214, 395, 409, 513, 515 |   |   |                              |             |
| Reports by,                  | - | -                                           | - | - | -                            | 235, 564    |
| Resolutions by,              | - | -                                           | - | - | -                            | 74, 88, 643 |
| Bills by,                    | - | -                                           | - | - | 88, 227, 307, 480, 620, 679  |             |
| Motions by,                  | - | -                                           | - | - | 104, 220, 227, 313, 425, 528 |             |
| Leave of absence granted to, | - | -                                           | - | - | -                            | 363, 725    |

### LAWRENCE, EDMUND.

|                              |   |   |   |   |   |               |
|------------------------------|---|---|---|---|---|---------------|
| Appeared and was qualified,  | - | - | - | - | - | 5             |
| Petitions by,                | - | - | - | - | - | 170, 409, 558 |
| Report by,                   | - | - | - | - | - | 603           |
| Leave of absence granted to, | - | - | - | - | - | 363           |

### LEWIS, ELI.

|                              |   |   |   |                                   |                    |               |
|------------------------------|---|---|---|-----------------------------------|--------------------|---------------|
| Appeared and was qualified,  | - | - | - | -                                 | -                  | 5             |
| Petitions by,                | - | - | - | -                                 | -                  | 57, 84        |
| Reports by,                  | - | - | - | 269, 296, 346, 375, 421, 453, 502 |                    |               |
| Resolutions by,              | - | - | - | -                                 | 63, 249, 306, 460  |               |
| Bills by,                    | - | - | - | -                                 | -                  | 381, 393, 432 |
| Motions by,                  | - | - | - | -                                 | 234, 251, 420, 689 |               |
| Leave of absence granted to, | - | - | - | -                                 | -                  | 126, 182      |

### LIBRARIAN, STATE.

|            |   |   |   |   |   |    |
|------------|---|---|---|---|---|----|
| Report of, | - | - | - | - | - | 67 |
|------------|---|---|---|---|---|----|

### LINDSEY, JOHN V.

|                             |   |   |   |   |   |     |
|-----------------------------|---|---|---|---|---|-----|
| Appeared and was qualified, | - | - | - | - | - | 4   |
| Resolution by,              | - | - | - | - | - | 167 |
| Bill by,                    | - | - | - | - | - | 227 |
| Motion by,                  | - | - | - | - | - | 227 |

### MARQUESS, WILLIAM K.

|                             |   |   |   |   |   |         |
|-----------------------------|---|---|---|---|---|---------|
| Appeared and was qualified, | - | - | - | - | - | 4       |
| Petitions by,               | - | - | - | - | - | 67, 553 |



|                 |   |   |   |                        |
|-----------------|---|---|---|------------------------|
| Resolutions by, | - | - | - | 62, 65, 118, 306, 558  |
| Bill by,        | - | - | - | 204                    |
| Motions by,     | - | - | - | 73, 140, 176, 435, 683 |

## MARSHALL, MILES.

|                             |   |   |   |   |               |
|-----------------------------|---|---|---|---|---------------|
| Appeared and was qualified, | - | - | - | - | 5             |
| Report by,                  | - | - | - | - | 459           |
| Motion by,                  | - | - | - | - | 231           |
| Leave of absence granted,   | - | - | - | - | 648, 691, 725 |

## MARVIN, HENRY M.

|                              |                                                        |   |   |   |                    |
|------------------------------|--------------------------------------------------------|---|---|---|--------------------|
| Appeared and was qualified,  | -                                                      | - | - | - | 3                  |
| Petitions by,                | -                                                      | - | - | - | 98, 192, 333       |
| Reports by,                  | -                                                      | - | - | - | 393, 562           |
| Resolutions by,              | -                                                      | - | - | - | 225, 354           |
| Bill by,                     | -                                                      | - | - | - | 120                |
| Motions by,                  | 104, 105, 144, 155, 191, 239, 243, 293, 361, 394, 438, |   |   |   | 540, 582, 614, 651 |
| Leave of absence granted to, | -                                                      | - | - | - | 488, 505           |

## McCARTY, ELIJAH.

|                             |   |   |   |   |                         |
|-----------------------------|---|---|---|---|-------------------------|
| Appeared and was qualified, | - | - | - | - | 4                       |
| Petitions by,               | - | - | - | - | 214, 245, 296, 411, 443 |
| Reports by,                 | - | - | - | - | 459, 527, 563           |
| Bill by,                    | - | - | - | - | 510                     |
| Motions by,                 | - | - | - | - | 214, 480, 598           |
| Leave of absence granted,   | - | - | - | - | 314                     |

## McCLELLAND, JAMES S.

|                             |                                                  |   |   |   |                                        |
|-----------------------------|--------------------------------------------------|---|---|---|----------------------------------------|
| Appeared and was qualified, | -                                                | - | - | - | 3                                      |
| Petitions by,               | -                                                | - | - | - | 55, 371                                |
| Reports by,                 | -                                                | - | - | - | 87, 369                                |
| Resolution by,              | -                                                | - | - | - | 15                                     |
| Bills by,                   | -                                                | - | - | - | 88, 479, 526, 528                      |
| Motions by,                 | 15, 105, 155, 190, 207, 213, 218, 219, 239, 243, |   |   |   | 293, 361, 394, 438, 540, 582, 614, 651 |

## McKIM, JOHN.

|                              |   |   |   |   |                         |               |     |
|------------------------------|---|---|---|---|-------------------------|---------------|-----|
| Appeared and was qualified,  | - | - | - | - | -                       | -             | 4   |
| Petition by,                 | - | - | - | - | -                       | -             | 514 |
| Resolution by,               | - | - | - | - | -                       | -             | 305 |
| Bills by,                    | - | - | - | - | -                       | 77, 103, 204, | 227 |
| Motions by,                  | - | - | - | - | 90, 208, 231, 251, 256, | -             | 268 |
| Leave of absence granted to, | - | - | - | - | -                       | -             | 699 |

## McMAKIN, R. W.

|                             |   |   |   |   |                              |               |          |
|-----------------------------|---|---|---|---|------------------------------|---------------|----------|
| Appeared and was qualified, | - | - | - | - | -                            | -             | 4        |
| Petitions by,               | - | - | - | - | -                            | 185, 246, 439 | -        |
| Reports by,                 | - | - | - | - | -                            | -             | 267, 318 |
| Resolution by,              | - | - | - | - | -                            | -             | 723      |
| Bills by,                   | - | - | - | - | -                            | 423, 620, 659 | -        |
| Motions by,                 | - | - | - | - | 218, 241, 258, 482, 658, 687 | -             | -        |

## MERCER, MILTON.

|                             |   |   |   |   |                         |                    |          |
|-----------------------------|---|---|---|---|-------------------------|--------------------|----------|
| Appeared and was qualified, | - | - | - | - | -                       | -                  | 4        |
| Petitions by,               | - | - | - | - | -                       | 280, 296, 409, 410 | -        |
| Resolution by,              | - | - | - | - | -                       | -                  | 225      |
| Bills by,                   | - | - | - | - | -                       | 64, 309, 604       | -        |
| Motions by,                 | - | - | - | - | 219, 319, 512, 530, 607 | -                  | -        |
| Leave of absence granted,   | - | - | - | - | -                       | -                  | 691, 724 |

## MESSAGES FROM THE GOVERNOR.

|                                                                                  |                                                                                     |   |   |   |   |               |    |
|----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---|---|---|---|---------------|----|
| Informing the House of the appointment of Wm. M. Noel, as his Private Secretary, | -                                                                                   | - | - | - | - | -             | 11 |
| Returning with his objections No. 330 and No. 366, of the last session,          | -                                                                                   | - | - | - | - | -             | 15 |
| Annual Message of,                                                               | -                                                                                   | - | - | - | - | -             | 21 |
| Approving bills,                                                                 | 115, 151, 230, 263, 281, 310, 375, 421, 542, 587, 661, 709, 731, 774, 778, 783, 784 | - | - | - | - | -             | -  |
| Returning bills of the House with his objections,                                | -                                                                                   | - | - | - | - | 16, 17, 116   | -  |
| Objections to Senate bills,                                                      | -                                                                                   | - | - | - | - | 128, 138, 154 | -  |

## MESSAGES FROM THE SENATE.

|                                                        |   |   |   |   |   |   |    |
|--------------------------------------------------------|---|---|---|---|---|---|----|
| Informing the House of the organization of the Senate, | - | - | - | - | - | - | 8  |
| In relation to opening the session by prayer,          | - | - | - | - | - | - | 10 |

|                                                                                                                                                      |     |
|------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| In relation to appointing a joint committee to wait on the Governor,                                                                                 | 10  |
| Informing the House of the adoption of the rules of the last session, and concurring in the resolution of the House adopting the joint rules,        | 12  |
| Concurring in the resolution of the House to go into the election of Judge of the 3d circuit,                                                        | 54  |
| Concurring in the resolution of the House fixing a day to elect a Judge of the Marion Court of Common Pleas,                                         | 54  |
| Fixing a day to elect Warden of the State Prison,                                                                                                    | 55  |
| Announcing the death of Hon. R. W. Lyon and Hon. A. M. Carnahan,                                                                                     | 64  |
| Fixing a day to elect a State Librarian,                                                                                                             | 66  |
| Informing the House of the adoption of a resolution to go into the election of Judge of the 7th Judicial Circuit,                                    | 106 |
| Reciprocating the resolution of the House to go into the election of Judge of the 9th Judicial Circuit,                                              | 106 |
| Informing the House of the adoption of a resolution to go into the election of a Bank Director,                                                      | 110 |
| Informing the House of the concurrence of the Senate in resolution of the House to go into the election of United States Senator, with an amendment, | 137 |
| Informing the House of the concurrence of the Senate in resolution of the House providing for the election of Warden of the State Prison,            | 142 |
| Informing the House of the adoption of resolution fixing a time to elect a Trustee of the Wabash and Erie Canal,                                     | 164 |
| Concurring of the House providing for the election of President Judge of the 6th Judicial Circuit,                                                   | 183 |
| Informing the House of the adoption of a resolution to proceed to the election of Bank Director,                                                     | 209 |
| Informing the House of the choice of the Senate for Bank Director,                                                                                   | 210 |
| Informing the House of a resolution to adjourn <i>sine die</i> ,                                                                                     | 228 |
| Informing the House of the concurrence of the Senate in the amendment of the House to the resolution of the Senate to adjourn <i>sine die</i> ,      | 244 |
| Concurring in the resolution of the House to adjourn <i>sine die</i> , with an amendment,                                                            | 534 |
| Informing the House of the passage of a resolution to go into the election of two Commissioners of the Hospital for the Insane,                      | 546 |
| Informing the House of the adoption of a resolution to appoint a committee to investigate the acts of the officers of the Hospital for the Insane,   | 546 |
| Concurring in the amendment of the House to the amendment of the Senate to the resolution fixing the time of adjournment,                            | 570 |
| Informing the House of the appointment of a committee of Free                                                                                        | 1   |

|                                                                                                                                                                                                                                                                                                                                                                                                                      |          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Conference on Senate bill No. 103, - - -                                                                                                                                                                                                                                                                                                                                                                             | - 595    |
| Concurring in the report of the committee of Free Conference,<br>on Senate bill No. 103, - - -                                                                                                                                                                                                                                                                                                                       | - 611    |
| Returning House bill No. 477, - - -                                                                                                                                                                                                                                                                                                                                                                                  | - 739    |
| Informing the House of the reconsideration of the vote concur-<br>ring in the amendment of the House to the amendment of the<br>Senate to the resolution of the House fixing the day for ad-<br>journment <i>sine die</i> , and concurring with an amendment, -                                                                                                                                                      | 777      |
| Informing the House that the Senate were ready to adjourn, -                                                                                                                                                                                                                                                                                                                                                         | 783      |
| Informing the House of the appointment of a committee to wait<br>on the Governor, - - -                                                                                                                                                                                                                                                                                                                              | - 786    |
| Requesting the House to return bills, - - -                                                                                                                                                                                                                                                                                                                                                                          | 254, 531 |
| Informing the House of the passage of Senate bills, 65, 70, 77, 81,<br>107, 109, 112, 127, 134, 138, 151, 169, 195, 197, 198, 229,<br>250, 288, 312, 318, 341, 342, 377, 378, 426-7, 429, 481, 498,<br>513, 537, 538, 571, 573-4, 575, 607, 622, 644, 675, 676,<br>677, 678, 702, 703, 717, 718, 721, 726.                                                                                                           |          |
| Informing the House of the passage of House bills, 69, 80, 109, 112,<br>135, 146, 145, 159, 160, 168, 175, 184, 194, 198, 205, 206,<br>229, 243, 244, 254, 255, 277, 288, 312, 342, 356, 357, 362,<br>367, 379, 408, 426, 429, 430, 481, 488, 532, 535, 537,<br>556, 570, 597, 606, 607, 609-10, 612, 621, 643, 657, 663,<br>673, 701, 702, 706, 707, 717, 718, 730, 731, 735, 736,<br>737, 738, 741, 742, 774, 778. |          |
| Relative to amendments, 169, 194, 198, 205, 206, 229, 244, 287,<br>312, 356, 357, 366, 376, 379, 426, 481, 504, 535, 536, 537,<br>569, 570, 595, 606, 620, 621, 629, 643, 657, 672, 673,<br>701, 702, 706, 707, 718, 722, 725, 726, 729, 730, 735, 736,<br>740, 741, 742, 773.                                                                                                                                       |          |

## MILLIKAN, WILLIAM.

|                                     |                                  |
|-------------------------------------|----------------------------------|
| Appeared and was qualified, - - -   | - 4                              |
| Petitions by, - - -                 | 70, 71, 98, 113, 146-7, 185, 559 |
| Reports by, - - -                   | 142, 353.                        |
| Resolutions by, - - -               | 11, 150, 681.                    |
| Bills by, - - -                     | 121, 247, 248, 284, 509.         |
| Motions by, - - -                   | 55, 59, 159, 182, 275, 475, 725. |
| Leave to withdraw a petition, - - - | 716.                             |

## MOORE, SAMUEL A.

|                                   |                                       |
|-----------------------------------|---------------------------------------|
| Appeared and was qualified, - - - | - 10.                                 |
| Petitions by, - - -               | 56, 85, 100, 161, 256, 334, 396, 499. |
| Reports by, - - -                 | 201, 224, 268, 302, 563.              |

|                          |           |
|--------------------------|-----------|
| Resolution by, - - - - - | 75.       |
| Motions by, - - - - -    | 322, 382. |

## MORGAN, BENJAMIN.

|                                       |          |
|---------------------------------------|----------|
| Appeared and was qualified, - - - - - | 4        |
| Petition by, - - - - -                | 229      |
| Bills by, - - - - -                   | 567, 700 |
| Motion by, - - - - -                  | 229      |

## MORROW, JOSEPH.

|                                       |                   |
|---------------------------------------|-------------------|
| Appeared and was qualified, - - - - - | 4                 |
| Petitions by, - - - - -               | 98, 214, 396, 716 |
| Reports by, - - - - -                 | 149, 269          |
| Bill by, - - - - -                    | 605               |
| Motion by, - - - - -                  | 575               |

## NELSON, THOMAS H.

|                                        |                                             |
|----------------------------------------|---------------------------------------------|
| Appeared and was qualified, - - - - -  | 3                                           |
| Petitions by, - - - - -                | 98, 513, 514                                |
| Report by, - - - - -                   | 287                                         |
| Resolutions by, - - - - -              | 305, 461                                    |
| Bills by, - - - - -                    | 121, 247                                    |
| Motions by, - - - - -                  | 191, 255, 350, 366, 505, 529, 584, 693, 726 |
| Leave of absence granted to, - - - - - | 314, 724                                    |

## NOEL, WM. M.

|                                        |    |
|----------------------------------------|----|
| Appointed Private Secretary, - - - - - | 11 |
|----------------------------------------|----|

## NOFSINGER, WM. R.

|                                                         |     |
|---------------------------------------------------------|-----|
| Elected Trustee of the Wabash and Erie Canal, - - - - - | 188 |
|---------------------------------------------------------|-----|

## O'NEAL, THOMAS H.

|                                        |                                   |
|----------------------------------------|-----------------------------------|
| Appeared and was qualified, - - - - -  | 94                                |
| Leave of absence granted to, - - - - - | 126, 182, 210, 243, 363, 368, 505 |

## PAINTER, HENRY.

|                                       |   |   |   |   |   |     |
|---------------------------------------|---|---|---|---|---|-----|
| Appeared and was qualified,           | - | - | - | - | - | 5   |
| Report by,                            | - | - | - | - | - | 508 |
| Motion by,                            | - | - | - | - | - | 442 |
| Leave granted to withdraw a petition, | - | - | - | - | - | 515 |

## PANCAKE, ABRAHAM.

|                             |   |   |   |   |                    |          |
|-----------------------------|---|---|---|---|--------------------|----------|
| Appeared and was qualified, | - | - | - | - | -                  | 4        |
| Petitions by,               | - | - | - | - | 147, 280, 472, 636 |          |
| Bills by,                   | - | - | - | - | 66, 139, 422, 603  |          |
| Motions by,                 | - | - | - | - | -                  | 219, 228 |

PATTERSON, WILLIAM M. (*of Marshall.*)

|                             |   |   |   |   |                         |               |
|-----------------------------|---|---|---|---|-------------------------|---------------|
| Appeared and was qualified, | - | - | - | - | -                       | 4             |
| Petitions by,               | - | - | - | - | 246, 372, 432, 514, 619 |               |
| Reports by,                 | - | - | - | - | -                       | 287, 524, 562 |
| Bills by,                   | - | - | - | - | 140, 226, 307, 603, 695 |               |
| Motions by,                 | - | - | - | - | 190, 219, 232, 619, 653 |               |

PATTERSON, ALEXANDER L. (*of Tippecanoe.*)

|                              |                                                      |   |   |   |                        |             |
|------------------------------|------------------------------------------------------|---|---|---|------------------------|-------------|
| Appeared and was qualified,  | -                                                    | - | - | - | -                      | 5           |
| Report by,                   | -                                                    | - | - | - | -                      | 605         |
| Resolutions by,              | -                                                    | - | - | - | -                      | 12, 62, 102 |
| Bills by,*                   | -                                                    | - | - | - | 77, 192, 248, 566, 643 |             |
| Motions by,                  | 11, 15, 43, 59, 78, 90, 99, 126, 133, 140, 141, 144, |   |   |   |                        |             |
|                              | 176, 179, 182, 189, 191, 207, 208, 211, 220, 238,    |   |   |   |                        |             |
|                              | 243, 551, 572, 642, 721                              |   |   |   |                        |             |
| Leave of absence granted to, | -                                                    | - | - | - | 314, 363, 368          |             |

## PECK, EDWIN J.

|                                                               |   |   |   |   |   |     |
|---------------------------------------------------------------|---|---|---|---|---|-----|
| Elected one of the Commissioners for the Hospital for the In- |   |   |   |   |   |     |
| sane,                                                         | - | - | - | - | - | 626 |

## PECKENPAUGH, NICHOLAS.

|                             |   |   |   |   |   |     |
|-----------------------------|---|---|---|---|---|-----|
| Appeared and was qualified, | - | - | - | - | - | 3   |
| Report by,                  | - | - | - | - | - | 236 |

|                              |   |   |   |   |   |   |   |   |               |
|------------------------------|---|---|---|---|---|---|---|---|---------------|
| Resolution by,               | - | - | - | - | - | - | - | - | 248           |
| Bills by,                    | - | - | - | - | - | - | - | - | 173, 227, 422 |
| Motion by,                   | - | - | - | - | - | - | - | - | 177           |
| Leave of absence granted to, | - | - | - | - | - | - | - | - | 724           |

## PETITIONS PRESENTED.

|                     |                                       |                                             |                              |                        |
|---------------------|---------------------------------------|---------------------------------------------|------------------------------|------------------------|
| By Mr. Armstrong,   | -                                     | -                                           | -                            | 85, 100, 113, 343, 396 |
| Benson,             | -                                     | -                                           | 235, 333, 372, 395, 396, 410 |                        |
| Bird,               | -                                     | 57, 71, 113, 235, 246, 343, 515, 638        |                              |                        |
| Blue,               | -                                     | -                                           | -                            | 410, 472               |
| Bradley,            | -                                     | -                                           | -                            | 71, 171, 295           |
| Brown of Pike,      | -                                     | -                                           | -                            | 333, 558               |
| Brown of Shelby,    | -                                     | -                                           | -                            | 113, 514               |
| Bulla,              | -                                     | -                                           | -                            | 245                    |
| Campbell,           | -                                     | -                                           | -                            | 334                    |
| Caylor,             | -                                     | -                                           | -                            | 255, 440               |
| Chapman,            | -                                     | -                                           | -                            | 472                    |
| Clark,              | -                                     | -                                           | 55, 160, 456, 621            |                        |
| Coburn,             | -                                     | -                                           | 47, 160, 214, 334, 409       |                        |
| Cowan,              | -                                     | -                                           | -                            | 135, 245, 409          |
| Crawford,           | -                                     | -                                           | -                            | 113, 234, 499          |
| Crim,               | -                                     | -                                           | -                            | 113, 147               |
| Davis of Scott,     | -                                     | -                                           | -                            | 169, 472               |
| Donaldson,          | -                                     | -                                           | -                            | 343, 396, 440          |
| Dumont,             | -                                     | -                                           | 244, 273, 292, 295, 343      |                        |
| Edwards,            | -                                     | -                                           | -                            | 98, 246                |
| Elkins,             | -                                     | -                                           | -                            | 213, 636               |
| Essex,              | -                                     | -                                           | -                            | 56, 113, 235           |
| Franklin,           | -                                     | -                                           | -                            | 342                    |
| Gentry,             | -                                     | -                                           | 70, 342, 472, 555            |                        |
| Goodwin of Daviess, | -                                     | -                                           | -                            | 333, 513               |
| Graff,              | -                                     | -                                           | -                            | 56, 71                 |
| Hamilton,           | -                                     | -                                           | -                            | 98, 245                |
| Hammond,            | -                                     | -                                           | -                            | 58, 371, 472           |
| Harrison,           | -                                     | -                                           | 278, 280, 343, 558, 642      |                        |
| Haywood,            | -                                     | -                                           | -                            | 371                    |
| Hicks,              | -                                     | -                                           | -                            | 185, 443, 515          |
| Hosbrook,           | 67, 234, 256, 342, 439, 442, 443, 513 |                                             |                              |                        |
| Houghman,           | -                                     | -                                           | -                            | 280, 514               |
| Hubbard,            | -                                     | -                                           | -                            | 199, 410, 513          |
| Hutchinson,         | -                                     | 100, 161, 185, 199, 213, 333                |                              |                        |
| Jackson,            | -                                     | -                                           | 161, 514, 557, 613           |                        |
| Johnston,           | -                                     | -                                           | -                            | 372, 473               |
| Jones,              | -                                     | -                                           | 56, 84, 213, 333, 472, 636   |                        |
| Jordan,             | -                                     | -                                           | -                            | 372                    |
| Lank,               | -                                     | 161, 169, 185, 199, 214, 395, 409, 513, 515 |                              |                        |

|                        |                                               |                                      |                       |                         |               |
|------------------------|-----------------------------------------------|--------------------------------------|-----------------------|-------------------------|---------------|
| By Mr. Lawrence,       | -                                             | -                                    | -                     | -                       | 170, 409, 558 |
| Lewis,                 | -                                             | -                                    | -                     | -                       | 57, 84        |
| Marquess,              | -                                             | -                                    | -                     | -                       | 67, 558       |
| Marvin,                | -                                             | -                                    | -                     | -                       | 98, 192, 333  |
| McCarty,               | -                                             | -                                    | -                     | 214, 245, 296, 411, 443 |               |
| McClelland,            | -                                             | -                                    | -                     | -                       | 55, 371       |
| McKim,                 | -                                             | -                                    | -                     | -                       | 514           |
| McMakin,               | -                                             | -                                    | -                     | -                       | 185, 246, 439 |
| Meicer,                | -                                             | -                                    | -                     | 280, 296, 409, 410      |               |
| Millikan,              | -                                             | 70, 71, 98, 113, 146-7, 185, 559     |                       |                         |               |
| Moore,                 | -                                             | 56, 85, 100, 161, 256, 334, 396, 499 |                       |                         |               |
| Morgan,                | -                                             | -                                    | -                     | -                       | 229           |
| Morrow,                | -                                             | -                                    | -                     | 98, 214, 396, 716       |               |
| Nelson,                | -                                             | -                                    | -                     | 98, 513, 514            |               |
| Pancake,               | -                                             | -                                    | -                     | 147, 280, 472, 636      |               |
| Patterson of Marshall, | -                                             | 246, 372, 432, 514, 619              |                       |                         |               |
| Pratt,                 | 55, 57, 86, 169, 170, 205, 279, 280, 343, 695 |                                      |                       |                         |               |
| Reynolds,              | -                                             | -                                    | -                     | -                       | 147           |
| Rice,                  | -                                             | -                                    | -                     | 83, 442, 706            |               |
| Ross,                  | -                                             | -                                    | -                     | -                       | 47, 198       |
| Shook,                 | -                                             | -                                    | -                     | -                       | 100           |
| Shull,                 | -                                             | -                                    | -                     | 247, 256, 639, 642      |               |
| Simler,                | -                                             | -                                    | -                     | -                       | 146           |
| Stone,                 | -                                             | -                                    | -                     | -                       | 334           |
| Schwartz,              | -                                             | -                                    | -                     | 199, 245, 295, 343      |               |
| Swihart of Huntington, | -                                             | -                                    | -                     | 113, 135, 146, 279      |               |
| Swihart of Wabash,     | -                                             | -                                    | 56, 71, 170, 396, 410 |                         |               |
| Thompson of Carroll,   | 56, 135, 147, 199, 332, 333, 397, 606         |                                      |                       |                         |               |
| Thompson of Delaware,  | -                                             | -                                    | -                     | 82, 184                 |               |
| Thorn,                 | -                                             | -                                    | -                     | -                       | 98            |
| Usher,                 | -                                             | -                                    | -                     | -                       | 246           |
| Walls,                 | -                                             | -                                    | -                     | -                       | 371           |
| Watts,                 | -                                             | -                                    | -                     | -                       | 558           |
| Willard,               | -                                             | -                                    | -                     | 66, 255, 279, 296, 370  |               |
| Williamson,            | -                                             | -                                    | -                     | -                       | 279           |
| Wilson,                | -                                             | -                                    | -                     | -                       | 86, 326       |
| Withers,               | -                                             | -                                    | -                     | -                       | 514           |
| Wittenmeyer,           | -                                             | -                                    | -                     | -                       | 70, 100       |
| Speaker,               | -                                             | -                                    | -                     | -                       | 84            |

### PHILLIPS, BRANNOCK.

|                                 |                                                 |   |   |                   |               |
|---------------------------------|-------------------------------------------------|---|---|-------------------|---------------|
| Appeared and was qualified,     | -                                               | - | - | -                 | 4             |
| Report by,                      | -                                               | - | - | -                 | 525           |
| Resolutions by,                 | -                                               | - | - | -                 | 116, 150, 172 |
| Bills and joint resolutions by, | -                                               | - | - | 49, 103, 292, 575 |               |
| Motions by,                     | 69, 177, 190, 193, 324, 328, 448, 639, 658, 690 |   |   |                   |               |



## PRATT, DANIEL D.

|                                       |                                                                                                                                                                  |   |
|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| Appeared and was qualified,           | - - - - -                                                                                                                                                        | 3 |
| Petitions by,                         | 55, 57, 86, 169, 170, 205, 279, 280, 343, 695                                                                                                                    |   |
| Reports by,                           | 114, 148, 170, 215, 219, 256, 257, 260, 261, 283, 310,<br>345, 398, 413, 419, 499, 501, 515, 523                                                                 |   |
| Resolutions by,                       | - - - - - 76, 102, 138, 194, 410, 478                                                                                                                            |   |
| Bills and joint resolutions by,       | 21, 50, 63, 76, 103, 110, 140, 142, 151,<br>180, 227, 228, 248, 308, 390, 405,<br>479, 566, 699                                                                  |   |
| Motions by,                           | 57, 81, 89, 95, 156, 177, 180, 247, 254, 263, 275, 286,<br>315, 323, 327, 328, 330, 357, 390, 399, 420, 429, 437,<br>445, 447, 454, 482, 505, 507, 523, 531, 675 |   |
| Leave granted to withdraw a petition, | - - - - - 247, 678                                                                                                                                               |   |

## PRAYER.

|                         |           |    |
|-------------------------|-----------|----|
| By the Rev. E. R. Ames, | - - - - - | 10 |
|-------------------------|-----------|----|

## PREVIOUS QUESTION.

|                                                                        |           |     |
|------------------------------------------------------------------------|-----------|-----|
| On House bill No. 107,                                                 | - - - - - | 258 |
| On the resolution relative to apportionment,                           | - - - - - | 294 |
| On the resolution to adjourn <i>sine die</i> ,                         | - - - - - | 305 |
| On joint resolution of the House No. 237,                              | - - - - - | 314 |
| On the passage of joint resolution of the House No. 237,               | - - - - - | 316 |
| On the passage of House bill No. 373,                                  | - - - - - | 623 |
| On concurring in the amendment of the Senate to House bill<br>No. 391, | - - - - - | 674 |

## PRIVATE SECRETARY.

|                            |           |    |
|----------------------------|-----------|----|
| William M. Noel appointed, | - - - - - | 11 |
|----------------------------|-----------|----|

## REPORTS FROM STANDING COMMITTEES.

## ON ELECTIONS.

|                                                  |           |     |
|--------------------------------------------------|-----------|-----|
| By Mr. Armstrong, on the credentials of members, | - - - - - | 411 |
| By Mr. Armstrong, House bill No. 401,            | - - - - - | 565 |

## OF WAYS AND MEANS.

|                                                                                                                |        |
|----------------------------------------------------------------------------------------------------------------|--------|
| By Mr. Willard, House bill No. 21,                                                                             | 72     |
| By Mr. Hutchinson, on House bill No. 122,                                                                      | 280    |
| By Mr. Brown of Shelby, on the resolution relative to exempting soldiers of the late war with Great Britain,   | 281    |
| By Mr. Usher, on House bill No. 74,                                                                            | 326    |
| By Mr. Rice, on House bill No. 129,                                                                            | 334    |
| By Mr. Hutchinson, on House bill No. 105,                                                                      | 335    |
| By Mr. Brown of Shelby, on House bill No. 45,                                                                  | 344    |
| By Mr. Bird, House bill No. 242,                                                                               | 345    |
| By Mr. Hammond, on House bill No. 84,                                                                          | 345    |
| By Mr. Hutchinson, on Senate bill No. 103,                                                                     | 443    |
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| Jackson, on House bill No. 139,                                                                              | - | 224 |
| Hubbard, on House bill No. 140,                                                                              | - | 224 |
| Willard, on Senate bill No. 30,                                                                              | - | 232 |
| Lank, on House bill No. 153,                                                                                 | - | 235 |
| Peckenpaugh, on Senate bill No. 15,                                                                          | - | 236 |
| Hammond, on the petition of J. A. Underwood,                                                                 | - | 236 |
| Chapman, on the subject of fitting up the Hall of the House,                                                 | - | 237 |
| Bradley, on House bill No. 159,                                                                              | - | 238 |
| Chapman, relative to fitting up the Hall of the House,                                                       | - | 242 |
| Thorn, on House bill No. 156,                                                                                | - | 265 |
| Graff, on House bill No. 178,                                                                                | - | 267 |
| McKim, on House bill No. 104,                                                                                | - | 267 |
| Shull, on House bill No. 118,                                                                                | - | 268 |
| Moore, on House bill No. 179,                                                                                | - | 268 |
| Lewis, on House bill No. 130,                                                                                | - | 269 |
| Morrow, on House bill No. 180,                                                                               | - | 269 |
| Thompson of Carroll, House bill No. 181,                                                                     | - | 270 |
| Hamilton, on the petition of citizens of Jackson county,                                                     | - | 270 |
| Bradley, on a resolution relative to apportionment,                                                          | - | 270 |
| Usher, House bill No. 201,                                                                                   | - | 286 |
| Patterson of Marshall, House bill No. 202,                                                                   | - | 287 |
| Nelson, on the petition of the Treasurer of Boone county and others,                                         | - | 287 |
| Brown of Pike, on House bill No. 195,                                                                        | - | 300 |
| Essex, House bill No. 206,                                                                                   | - | 300 |
| Davis of Dubois, on — bill No. 196,                                                                          | - | 301 |
| Clark, House bill No. 207,                                                                                   | - | 301 |
| Jones, House bill No. 208,                                                                                   | - | 301 |
| Cowan, House bill No. 209,                                                                                   | - | 301 |
| Harrison, House bill No. 210,                                                                                | - | 302 |
| Wilson, on House bill No. 183,                                                                               | - | 302 |
| Moore, House bill No. 211,                                                                                   | - | 302 |
| Pratt, House bill No. 235,                                                                                   | - | 310 |
| Hicks, House bill No. 236,                                                                                   | - | 311 |

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| By Mr. Williamson, joint resolution of the House No. 237,                                   | 313 |
| Brown of Pike, House bill No. 246, - - -                                                    | 352 |
| Millikan, House bill No. 247, - - -                                                         | 353 |
| Stone, House bill No. 248, - - -                                                            | 353 |
| Thorn, on House bill No. 166, - - -                                                         | 353 |
| Jordan, House bill No. 249, - - -                                                           | 353 |
| Bradley, House bill No. 230, - - -                                                          | 354 |
| McClelland, on House bill No. 46, - - -                                                     | 369 |
| Swihart of Wabash, House bill No. 253, - -                                                  | 370 |
| Hosbrook, on joint resolution No. 154, - -                                                  | 372 |
| Bird, on the petition of citizens of Allen county, -                                        | 374 |
| Harrison, House bill No. 261, - - -                                                         | 381 |
| Shook, House bill No. 262, - - -                                                            | 382 |
| Shull, House bill No. 268, - - -                                                            | 391 |
| Thompson of Carroll, House bill No. 272, -                                                  | 393 |
| Marvin, House bill No. 275, - - -                                                           | 393 |
| Jordan, House bill No. 283, - - -                                                           | 404 |
| Willard, House bill No. 285, - - -                                                          | 417 |
| Walls, House bill No. 286, - - -                                                            | 417 |
| Schwartz, House bill No. 287, - - -                                                         | 417 |
| McMakin, House bill No. 288, - - -                                                          | 418 |
| Willard, on Senate bill No. 30, - - -                                                       | 418 |
| Hutchinson, on the petition of the Board of Commis-<br>sioners of Vanderburgh county, - - - | 419 |
| Bradley, House bill No. 289, - - -                                                          | 419 |
| Pratt, House bill No. 290, - - -                                                            | 419 |
| Hutchinson, on House bill No. 254, - - -                                                    | 420 |
| Usher, House bill No. 291, - - -                                                            | 420 |
| Lewis, on House bill No. 260, - - -                                                         | 421 |
| Bird, on the petition of citizens of Allen county, -                                        | 421 |
| Davis of Scott, on a petition relative to swamp lands, -                                    | 421 |
| Hammond, House bill No. 313, - - -                                                          | 425 |
| Hutchinson, on House bill No. 241, - - -                                                    | 458 |
| Clark, on the petition of Phillip Snider and others, -                                      | 458 |
| Blue, House bill No. 330, - - -                                                             | 458 |
| Marshall, on Senate bill No. 56, - - -                                                      | 459 |
| McCarty, House bill No. 331, - - -                                                          | 459 |
| Hutchinson, on — bill No. 228, - - -                                                        | 459 |
| Hubbard, House bill No. 332, - - -                                                          | 460 |
| Usher, on House bill No. 151, - - -                                                         | 475 |
| Johnston, on Senate bill No. 170, - - -                                                     | 476 |
| Thompson of Carroll, on the petition of citizens of<br>Carroll county, - - -                | 577 |
| Shook, on Senate bill No. 140, - - -                                                        | 477 |
| Clark, on House bill No. 329, - - -                                                         | 506 |
| Clark, on Senate bill No. 159, - - -                                                        | 506 |
| Benson, on the petition of citizens of Palestine, -                                         | 507 |
| Harrison, House bill No. 353, - - -                                                         | 508 |

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| By Mr. Painter, on House bill No. 354,                     | 508   |
| Davis of Scott, House bill No. 355,                        | 508   |
| Pratt, on House bill No. 152,                              | 523   |
| Patterson of Marshall, House bill No. 374,                 | 524   |
| Phillips, on House bill No. 358,                           | 525   |
| Benson, House bill No. 376,                                | 526   |
| Hosbrook, on Senate bill No. 101,                          | 526   |
| McCarty, on House bill No. 257,                            | 527   |
| Davis of Scott, on House bill No. 291,                     | 554   |
| Marvin, House bill No. 395,                                | 562   |
| Patterson of Marshall, House bill No. 396,                 |       |
| Moore, House bill No. 397,                                 | 563   |
| Ross, on House bill No. 372,                               | 563   |
| McCarty, House bill No. 398,                               | 553-4 |
| Lank, House bill No. 399,                                  | 564   |
| Johnston, House bill No. 400,                              | 564   |
| Blue, on the petition of citizens of Kosciusko county,     | 564   |
| Hicks, House bill No. 402,                                 | 565   |
| Johnston, on the petition of citizens of Putnam county,    | 566   |
| Brown of Pike, House bill No. 423,                         | 592   |
| Edwards, on Senate bill No. 184,                           | 602   |
| Hicks, House bill No. 426,                                 | 602   |
| Lawrence, House bill No. 427,                              | 603   |
| Patterson of Tippecanoe, joint resolution No. 435,         | 605   |
| Patterson of Tippecanoe, on the petition of H. B. Wil-     |       |
| son, et al.,                                               | 605   |
| Hamilton, on Senate bill No. 172,                          | 614   |
| Goodwin, on House bill No. 289,                            | 616   |
| Watts, in relation to distances and mileage,               | 616   |
| Gentry, on the petition of citizens of Monroe county,      | 619   |
| Jackson, on the petition for a State road from Tipton      |       |
| to Frankfort,                                              | 619   |
| Jones, on House bill No. 412,                              | 628   |
| Watts, on Senate bill No. 61,                              | 641   |
| Rice, House bill No. 450,                                  | 641   |
| Elkins, House bill No. 462,                                | 666   |
| Jackson, on House bill No. 454,                            | 667   |
| Jordan, on House bill No. 398,                             | 697   |
| Crawford, House bill No. 470,                              | 689   |
| Thompson of Carroll, in relation to reinstating the        |       |
| office of county auditor in Carroll county,                | 701   |
| Graff, from the joint committee in relation to the charges |       |
| against the officers of the Hospital for the Insane,       | 714   |
| Coburn, on the petition of John Burk and Peter W.          |       |
| Koontz,                                                    | 717   |
| Crawford, on so much of the Governor's message as          |       |
| relates to canals, &c.,                                    | 717   |
| Watts, on Senate bill No. 143,                             | 734   |

|                                                                                       |   |   |   |   |     |
|---------------------------------------------------------------------------------------|---|---|---|---|-----|
| By Mr. Rice, in relation to vacating a certain State road in the<br>county of Orange, | - | - | - | - | 739 |
| Edwards, from the joint committee, to wait on the<br>Governor,                        | - | - | - | - | 787 |

### COMMITTEES OF FREE CONFERENCE.

|                                                 |   |   |   |   |     |
|-------------------------------------------------|---|---|---|---|-----|
| By Mr. Brown of Shelby, on Senate bill No. 103, | - | - | - | - | 598 |
| Willard, on House bill No. 481,                 | - | - | - | - | 743 |
| Goodwin, on House bill No. 156,                 | - | - | - | - | 773 |

### COMMITTEE OF THE WHOLE.

|                                            |   |   |   |           |     |
|--------------------------------------------|---|---|---|-----------|-----|
| By Mr. Hicks, on the Governor's message,   | - | - | - | -         | 51  |
| Davis of Scott, on the Governor's message, | - | - | - | -         | 111 |
| Chapman, on House bill No. 80,             | - | - | - | -         | 112 |
| Hicks, on House bill No. 191,              | - | - | - | -         | 277 |
| Edwards, on House bill No. 160,            | - | - | - | 363, 364, | 365 |
| Hicks, on House bill No. 459,              | - | - | - | -         | 711 |

# RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES.

## SUBJECT MATTER OF.

|                                                                                                                                                   | Introduced. | Movers' Names.      | Adopted. |
|---------------------------------------------------------------------------------------------------------------------------------------------------|-------------|---------------------|----------|
| Informing the Senate of the organization of the House, . . . . .                                                                                  | 8           | Mr. Davis of Scott, | 8        |
| Requesting the Senate to meet in the Hall of the House at 2 o'clock, P. M., and inviting Rev. E. R. Ames to open the session by prayer, . . . . . | 8           | Hosbrook,           | 8        |
| To appoint a committee to wait on the Governor, . . . . .                                                                                         | 8           | Ross,               | 9        |
| Adopting the rules and joint rules of the last House, . . . . .                                                                                   | 9           | Franklin,           | 9        |
| Authorizing the Doorkeeper to employ assistance, . . . . .                                                                                        | 9           | Chapman,            | 9        |
| Directing the Doorkeeper to furnish each member with the Revised Statutes and subsequent acts, . . . . .                                          | 9           | Rice,               | 9        |
| Inviting the Senate to attend in the Hall of the House <i>instantly</i> , . . . . .                                                               | 10          | Edwards,            |          |
| Adopting the rules and joint rules of the last House, . . . . .                                                                                   | 10          | Bird,               |          |
| To adjourn to meet at 9 o'clock the next day, . . . . .                                                                                           | 11          | Johnston,           | 11       |
| To take newspapers, . . . . .                                                                                                                     | 11          | Graft,              | 11       |
| Requiring the Doorkeeper to act as Sergeant-at-Arms, . . . . .                                                                                    | 11          | Gentry,             | 11       |
| Referring the rules of the House to a select committee, . . . . .                                                                                 | 11          | Millikan,           |          |
| Giving reporters seats within the bar of the House, . . . . .                                                                                     | 12          | Patterson of Tip.   | 12       |
| To appoint a select committee to report to the House the number of papers to be subscribed for, &c., . . . . .                                    | 13          | Ross,               | 13       |
| Relative to taking newspapers, . . . . .                                                                                                          | 15          | McClelland,         |          |

# RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

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| S U B J E C T M A T T E R O F .                                                           |                    |                      |                 |    |
|-------------------------------------------------------------------------------------------|--------------------|----------------------|-----------------|----|
|                                                                                           | <i>Introduced.</i> | <i>Mover's Name.</i> | <i>Adopted.</i> |    |
| Directing the Doorkeeper not to make contracts for newspapers,.....                       | 15                 | Mr. Humphreys,       |                 | 20 |
| Authorizing the Principal Clerk to employ assistants, and at what compensation,           | 15                 | McClelland,          |                 | 20 |
| To appoint a committee in relation to the Representative Hall, .....                      | 20                 | Chapman,             |                 | 21 |
| Directing the Doorkeeper to report the number of his assistants, .....                    | 21                 | Johnston,            |                 | 21 |
| Inviting the Senate to attend in the Hall of the House, .....                             | 21                 | Ross,                |                 | 21 |
| To proceed to the election of a United States Senator, .....                              | 47                 | Williamson,          |                 | 48 |
| Relative to the pay of Delegates to the Convention, .....                                 | 48                 | Thorn,               |                 |    |
| To proceed to election of Canal Trustee, .....                                            | 48                 | Humphreys,           |                 | 48 |
| To go into the election of a Judge of the Marion Court of Common Pleas, ..                | 48                 | Coburn,              |                 | 48 |
| To appoint a select committee to apportion the State, .....                               | 48                 | Bradley,             |                 | 48 |
| To go into the committee of the whole on the Governor's Message, .....                    | 49                 | Stone,               |                 | 49 |
| Relative to taking newspapers, .....                                                      | 50                 | Select Committee,    |                 | 50 |
| Fixing the time for the election of the President Judge of the 3d Judicial Circuit, ..... | 50                 |                      |                 |    |
| Referring the Governor's Message to appropriate committees, .....                         | 51                 | Mr. Essex,           |                 | 50 |
| Referring the credentials of members of the House, .....                                  | 58                 | Com. of the Whole,   |                 | 53 |
| To take the German paper, Statesman, and Locomotive, .....                                | 59                 | Mr. Stone,           |                 | 58 |
| To take the German paper, .....                                                           | 59                 | Hosbrook,<br>Jones,  |                 | 60 |



|                                                                                                                                                                                                                 |    |                 |    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----------------|----|
| To take three additional copies of the Tri-Weekly Sentinel,.....                                                                                                                                                | 60 | Harrison,       | 60 |
| Requesting the Auditor of State to report the enumeration of the white male inhabitants over 21 years of age,.....                                                                                              | 60 | Edwards,        | 60 |
| Relative to the expediency of amending the road law so as to require young men of the age of 18 to work roads,....                                                                                              | 60 | Hall,           | 61 |
| Relative to allowing supervisors a reasonable compensation,.....                                                                                                                                                | 61 | Hall,           | 61 |
| As to the expediency of repealing local and special road laws,.....                                                                                                                                             | 61 | Franklin,       | 61 |
| On the subject of an appropriation to meet the expenses of the Constitutional Convention,.....                                                                                                                  | 61 | Shook,          | 61 |
| To inquire into the expediency of publishing and distributing the school laws, instructing the Doorkeeper to furnish each member with the acts of 1848,...                                                      | 62 | Schwartz,       | 62 |
| Relative to local laws on the subject of common schools,.....                                                                                                                                                   | 62 | Goodwin,        | 62 |
| Relative to levying an additional tax for common school purposes,.....                                                                                                                                          | 62 | Marquess,       | 62 |
| On the expediency of electing township assessors,.....                                                                                                                                                          | 62 | Clark,          | 62 |
| Relative to taking papers,.....                                                                                                                                                                                 | 62 | Patterson of T. | 62 |
| To inquire into the expediency of amending the road laws,.....                                                                                                                                                  | 63 | Humphreys,      | 63 |
| On the death of Hon. Robert M. Lyon and the Hon. Andrew M. Carnahan, inviting the Superintendents of the Asylum for the Deaf and Dumb, and the Asylum for the Blind to give an exhibition of their pupils,..... | 65 | Lewis,          | 65 |
| Inviting the Senate to attend in the Hall of the House,.....                                                                                                                                                    | 72 | Marquess,       | 72 |
| Relative to the death of Hon. Collin McKinney, member elect from Bartholomew county,.....                                                                                                                       | 74 | Essex,          | 74 |
| Relative to a general law for corporations,.....                                                                                                                                                                | 74 | Davis of Scott, | 74 |
| On the subject of making an appropriation for the Convention, and reducing the pay of the members to one dollar and fifty cents per day,.....                                                                   | 75 | Essex,          | 75 |
| Authorizing the committee of Ways and Means to employ a clerk,.....                                                                                                                                             | 75 | Lank,           | 75 |
| To appoint a committee to enquire into the expediency of making an appropriation to defray the expenses of the Convention,.....                                                                                 | 75 | Thorn,          | 75 |
|                                                                                                                                                                                                                 |    | Bird,           | 75 |
|                                                                                                                                                                                                                 |    | Moore,          | 75 |

# RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

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## SUBJECT MATTER OF.

|                                                                                                                                                     | <i>Introduced.</i> | <i>Movers' Names.</i> | <i>Adopted.</i> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------|-----------------|
| To ascertain the counties which voted for the school law at the elections of 1849 and 1850,.....                                                    | 75                 | Mr. Stone,            | 75              |
| Relative to the compensation of surveyors for examining swamp lands,.....                                                                           | 75                 | Moore,                | 76              |
| Relative to the act of the last session, for the relief of widows whose husbands die intestate without any heirs lineally descended from them,..... | 76                 | Pratt,                | 76              |
| To appoint a select committee on the subject of Temperance Memorials,....                                                                           | 76                 | Jordan,               | 76              |
| Relative to a uniform mode of serving subpoenas and summonses,.....                                                                                 | 76                 | Pratt,                |                 |
| To reconsider the vote concurring in the resolution of the Senate to go into the election of State Librarian,.....                                  | 85                 | Hutchinson,           |                 |
| Relative to an exhibition of the pupils of the Deaf and Dumb Asylum and Blind Asylum,.....                                                          | 87                 | Essex,                | 87              |
| Relative to the expediency of reducing the number of Senators and Representatives,.....                                                             | 87                 | Franklin,             | 88              |
| Requesting the Auditor of State to lay before the House the report of the Superintendent of the New Albany and Vincennes Turnpike Road,.....        | 88                 | Rice,                 | 88              |
| Relative to the expediency of increasing the pay of President Judges,.....                                                                          | 88                 | Lank,                 | 88              |
| To go into the election of President Judge of the 6th Judicial Circuit,.....                                                                        | 92                 | Swihart of W.,        |                 |

|                                                                                                                                                  |     |                    |     |
|--------------------------------------------------------------------------------------------------------------------------------------------------|-----|--------------------|-----|
| Instructing the Judiciary committee to inquire into the expediency of preventing the further immigration of the blacks into our State, . . . . . | 92  | Williamson,        | 92  |
| To refer the report of the Auditor of State, . . . . .                                                                                           | 92  | Davis of Scott,    | 92  |
| To adjourn over to Monday morning, . . . . .                                                                                                     | 94  | Usher,             | 94  |
| On the subject of the death of Hon. Jas. R. Withers, . . . . .                                                                                   | 94  | Brown of Pike,     | 94  |
| Relative to quarter per cent. treasury notes, . . . . .                                                                                          | 95  | Edwards,           | 95  |
| Inviting the Senate to attend in the Hall of the House, . . . . .                                                                                | 95  | Ross,              | 95  |
| To procure a reporter's table, . . . . .                                                                                                         | 96  | Chapman,           | 96  |
| To adjourn to meet on Tuesday, . . . . .                                                                                                         | 96  | Ross,              | 96  |
| Inviting the Senate to attend in the Hall of the House, . . . . .                                                                                | 96  | Humphreys,         | 96  |
| Against granting divorces by the Legislature, . . . . .                                                                                          | 99  | Thorn,             | 99  |
| In relation to the expediency of amending the law upon the subject of assets, . . . . .                                                          | 102 | Franklin,          | 102 |
| Tendering thanks to fire companies of Indianapolis, . . . . .                                                                                    | 102 | Patterson of T.,   | 102 |
| To add a member to the select committee on apportionment, . . . . .                                                                              | 102 | Willard,           | 102 |
| Relative to the expediency of amending section 175, chapter 47, of the Revised Statutes of 1843, . . . . .                                       | 102 | Gentry,            | 102 |
| Relative to a modification of the laws relative to the limitations of actions upon judgments rendered by Justices of the Peace, . . . . .        | 102 | Pratt,             | 102 |
| Inviting the Senate to attend in the Hall of the House, . . . . .                                                                                | 107 | Hicks,             | 107 |
| To go into the committee of the Whole on that part of the Governor's Message not previously referred, . . . . .                                  | 111 | Coburn,            | 111 |
| To refer so much of the Governor's Message as relates to the Northern Division of the Central Canal, . . . . .                                   | 111 | Com. of the Whole, | 111 |
| Relative to revising the Probate laws and dispensing with complete records in certain cases, . . . . .                                           | 116 | Thorn,             | 116 |
| Relative to changing the appraisement and execution laws, . . . . .                                                                              | 116 | Phillips,          | 116 |
| To amend the laws relative to the duties of Justices of the Peace and Constables, . . . . .                                                      | 116 | Wittenmeyer,       | 116 |

SUBJECT MATTER OF.

|                                                                                                                      | <i>Introduced.</i> | <i>Movers' Names.</i> | <i>Adopted.</i> |
|----------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------|-----------------|
| To go into the election of Warden of the State Prison,.....                                                          | 117                | Mr. Schwartz,         | 117             |
| Inquiring in relation to the State Bank violating its charter by taking usurious interest, .....                     | 117                | Dumont,               | 117             |
| Inviting the Senate to attend in the Hall of the House, .....                                                        | 118                | Humphreys,            | 118             |
| To furnish the Hall of the House with carpet, .....                                                                  | 118                | Marquess,             | 118             |
| Calling on the President of Lawrenceburgh and Upper Mississippi Railroad Company, for a report, .....                | 118                | Dumont,               | 118             |
| To revise the road laws, .....                                                                                       | 120                | Thompson of C.        | 120             |
| To change the law confining voters to their respective townships, .....                                              | 120                | Buckles,              | 120             |
| Relative to the validity of subscriptions for benevolent purposes, .....                                             | 138                | Pratt,                | 138             |
| Requesting the Commissioners of the Insane Hospital to lay their annual report before the House without delay, ..... | 122                | Davis of Scott,       | 122             |
| Relative to the expediency of making an allowance to Harden Walker and others, .....                                 | 138                | Humphreys,            | 138             |
| Expediency of relinquishing swamp lands to the counties in which they are located, .....                             | 138                | Harrison,             | 140             |
| Authorizing a carpet to be procured for the Hall, .....                                                              | 140                | Watts,                | 140             |
| To discharge the committee on the repairs of the Hall, .....                                                         | 141                | Usher,                | 141             |

|                                                                                                                                             |     |                 |     |
|---------------------------------------------------------------------------------------------------------------------------------------------|-----|-----------------|-----|
| To revise, consolidate, publish, and distribute the school laws, . . . . .                                                                  | 150 | Phillips,       | 150 |
| Relative to amending the school law, . . . . .                                                                                              | 150 | Millikan,       | 150 |
| To take up the orders of the day at 2 o'clock, first disposing of messages from the Senate, . . . . .                                       | 150 | Conner,         | 150 |
| Relative to printing the act of Congress granting to Indiana swamp lands, . .                                                               | 151 | Jackson,        | 151 |
| Relative to the change of venue in criminal cases, . . . . .                                                                                | 151 | Dumont,         | 151 |
| Inviting the Senate to attend in the Hall of the House, . . . . .                                                                           | 162 | Crawford,       | 162 |
| Expediency of amending the law giving a lien to mechanics, . . . . .                                                                        | 167 | Watts,          | 167 |
| To go into the election of President Judge of the 6th judicial circuit, . . . .                                                             | 167 | Lindsey,        | 168 |
| Relative to furnishing the Hall with new stoves, . . . . .                                                                                  | 172 | Phillips,       | 172 |
| Requesting the State Printer to furnish as soon as practicable the enumeration of the adult white male inhabitants, . . . . .               | 172 | Bradley,        | 172 |
| In relation to a geological survey, . . . . .                                                                                               | 188 | Franklin,       | 188 |
| Relative to making road laws general throughout the State, . . . . .                                                                        | 188 | Davis of Scott, | 189 |
| Giving time to the select committee on Temperance, . . . . .                                                                                | 189 | Clark,          | 192 |
| Inviting the Senate to attend in the Hall of the House, . . . . .                                                                           | 191 | Johnston,       | 193 |
| To increase the number of the select committee on the subject of the boundary of Blackford county, . . . . .                                | 193 | Thompson of D., | 194 |
| Relative to leases, . . . . .                                                                                                               | 194 | Pratt,          | 195 |
| Inviting the Senate to attend in the Hall of the House, . . . . .                                                                           | 195 | Riley,          | 204 |
| To go into the election of Commissioners of the Hospital for the Insane, . . .                                                              | 204 | Hosbrook,       | 205 |
| Relative to the assessment of taxes on the personal property of incorporated companies, . . . . .                                           | 205 | Coburn,         | 218 |
| Authorizing the committee on the Judiciary to employ a clerk, . . . . .                                                                     | 218 | Com. Judiciary, | 225 |
| Requesting the Senate to return Senate bill No. 14, . . . . .                                                                               | 225 | Mr. Humphreys,  | 225 |
| Relative to the expediency of county clerks paying one half of all moneys received for marriage license into the county treasury, . . . . . | 225 | Goodwin,        | 225 |
| To go into the election of Commissioners of the Hospital for the Insane, . . .                                                              | 225 | Hosbrook,       | 225 |

# RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

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| SUBJECT MATTER OF.                                                                                                |     | Introduced.       | Movers' Names. | Adopted. |
|-------------------------------------------------------------------------------------------------------------------|-----|-------------------|----------------|----------|
| Relative to increasing the salary of President Judges,.....                                                       | 225 | Mr. Mercer,       |                |          |
| Expediency of appropriating swamp lands to the several counties in which they are situate,.....                   | 225 | Marvin,           |                | 226      |
| Relative to exempting soldiers in the war with Great Britain from taxation,.....                                  | 226 | Ross,             |                | 236      |
| Relative to the sale of the State stock in the State Bank,.....                                                   | 236 | Graff,            |                |          |
| Relative to abolishing the grand jury system or modifying the same,.....                                          | 236 | Walls,            |                | 236      |
| To adjourn from Thursday to Monday,.....                                                                          | 242 | Select Committee, |                |          |
| To prevent members from packing out public documents by the quantity,.....                                        | 243 | Mr. Peckenpaugh,  |                |          |
| Relative to the expediency of amending chap. 24, art. 2, section 17 of the Revised Statutes,.....                 | 249 | Graff,            |                | 249      |
| Relative to the constitutionality of the law allowing voters to vote for and against license to sell liquor,..... | 249 | Goodwin,          |                | 249      |
| To repeal special laws increasing or decreasing fees and salaries,.....                                           | 249 | Lewis,            |                | 249      |
| Requesting the Trustees of the Wabash and Erie canal to report certain items to the House,.....                   | 278 | Thorn,            |                | 278      |
| Requesting the Auditor of State to report the distances from each county to the capital, &c.,.....                | 305 | McKim,            |                |          |
| To adjourn sine die on the 10th of February,.....                                                                 | 305 | Nelson,           |                | 305      |

|                                                                                                                             |     |                      |     |
|-----------------------------------------------------------------------------------------------------------------------------|-----|----------------------|-----|
| Relative to a change in the law providing for issuing marriage license,.....                                                | 306 | Goodwin,             | 306 |
| To consolidate and simplify the school law,.....                                                                            | 306 | Lewis,               | 306 |
| Relative to liens on steamboats, .....                                                                                      | 306 | Willard,             | 306 |
| Relative to the Central Plank Road Company,.....                                                                            | 306 | Marquess,            | 306 |
| To regulate the tolls on the Wabash and Erie canal,.....                                                                    | 307 | Edwards,             | 307 |
| Expediency of abolishing the present action of ejectment and substituting the action of trespass,.....                      | 307 | Williamson,          | 307 |
| Calling for certain information from the Auditor of State,.....                                                             | 325 | Thorn,               | 326 |
| Calling for information from the Auditor of State relative to the report of the Trustees of the Wabash and Erie canal,..... | 327 | Thorn,               | 327 |
| Expediency of erecting a hospital for the wounded of the convention,.....                                                   | 340 | Johnston,            | 340 |
| Against legislating on the subject of Temperance,.....                                                                      | 354 | Marvin,              | 365 |
| Tendering the use of the Hall to the Rev. John O'Kaue,.....                                                                 | 365 | Brown of Shelby,     | 365 |
| To hold evening sessions,.....                                                                                              | 365 | Davis of Dubois,     | 365 |
| Relative to granting leave of absence,.....                                                                                 | 365 | Goodwin,             | 366 |
| To meet at half past 8 o'clock, A. M. during the remainder of the session,...                                               | 400 | Ross,                | 400 |
| Making inquiry of the Secretary of State relative to furnishing paper for the use of the members,.....                      | 404 | Chapman,             | 404 |
| Relative to the taxation of Bank stock,.....                                                                                | 410 | Dumont,              | 410 |
| Requesting the committee on Corporations to report back House bill No. 152,...                                              | 417 | Pratt,               | 417 |
| Calling for information from the Auditor of State relative to the taxation of individual bank stock,.....                   | 423 | Com. State Bank,     | 423 |
| Relative to destroying scrip,.....                                                                                          | 434 | Mr. Brown of Shelby, | 434 |
| Calling for the deeds, correspondence, &c., in relation to the Georgia lands,...                                            | 460 | Davis of Scott,      | 461 |
| Making inquiry of the Auditor of State relative to the rent of the State Prison,                                            | 461 | Lewis,               | 461 |
| Relative to amending the school law,.....                                                                                   | 461 | Rice,                | 461 |
| Relative to reducing the penalty on delinquent taxes from ten to six per cent.                                              | 477 | Nelson,              | 477 |
| Tendering the use of the Hall to the friends of Gen. Winfield Scott,.....                                                   |     | Edwards,             |     |

# RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

## SUBJECT MATTER OF.

|                                                                                                                                                                           | Introduced. | Mover's Name.    | Adopted. |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|------------------|----------|
| Instructing the Door-keeper not to distribute any more copies of the Madison Courier, .....                                                                               | 478         | Mr. Chapman,     | 478      |
| To adjourn on Monday morning, .....                                                                                                                                       | 478         | Pratt,           | 478      |
| To proceed on the 3d of February to the election of two Commissioners for the Hospital for the Insane, .....                                                              | 478         | Hicks,           | 478      |
| Directing the Judiciary Committee to return House bill No. 118, .....                                                                                                     | 478         | Shull,           | 509      |
| Granting Thomas Shannon leave to withdraw his petition, .....                                                                                                             | 509         | Usher,           | 509      |
| Tendering the use of the Hall to Fannie Lee Townsend, .....                                                                                                               | 511         | Shull,           |          |
| Directing the printer to the Convention to deliver to the Clerk a bound copy of the Journal and Debates of the Convention for each member and officer of the House, ..... | 529         | Dumont,          | 530      |
| To appoint a select committee to investigate the conduct of the officers of the Hospital for the Insane, .....                                                            | 530         | Davis of Dubois, | 530      |
| Relative to witnesses in the investigation of the conduct of officers of the Hospital for the Insane, .....                                                               | 557         | Watts,           | 557      |
| Authorizing the sending for persons and papers in the investigation of the acts of the Central Plank Road Company, .....                                                  | 558         | Marquess,        | 558      |



|                                                                                                          |     |                  |     |
|----------------------------------------------------------------------------------------------------------|-----|------------------|-----|
| Tendering the use of the Hall to Benjamin Satterthwaite, of Republican Grove,                            | 563 | Swihart of H.,   | 563 |
| Requesting the Speaker of the House to audit the claim of Thos. H. O'Neal,                               | 584 | Williamson,      | 584 |
| To appoint a committee to report distances of the residence of members, and<br>their mileage, . . . . .  | 590 | Dumont,          | 590 |
| Inviting the Senate to attend in the Hall of the House, . . . . .                                        | 624 | Hicks,           | 624 |
| Directing the committee on the judiciary to report back bill No. 257, . . . . .                          | 628 | Brown of Shelby, | 628 |
| To appoint a committee to act with a committee of the Senate on Senate bill<br>No. 172, . . . . .        | 629 | Davis of Scott,  | 629 |
| To appoint a committee to examine the accounts of the officers and members<br>of the House, . . . . .    | 635 | Shook,           | 635 |
| Limiting the time of speaking, . . . . .                                                                 | 635 | Davis of Dubois, |     |
| Limiting the time of speaking, . . . . .                                                                 | 641 | Elkins,          |     |
| On the subject of mileage, . . . . .                                                                     | 642 | Johnston,        |     |
| Directing the Auditor to publish the mileage of members, . . . . .                                       | 642 | Lank,            |     |
| On the subject of mileage, . . . . .                                                                     | 642 | Ross,            |     |
| Directing the State Printer to furnish the House with documents, . . . . .                               | 646 | Ross,            | 646 |
| In relation to granting leave of absence, . . . . .                                                      | 648 | Davis of Scott,  | 648 |
| Limiting the time of speaking and restricting the number of speeches, . . . . .                          | 667 | Davis of Dubois, | 668 |
| Tendering to each member of the Convention a copy of House Journal and<br>Documentary Journal, . . . . . | 680 | Goodwin,         | 680 |
| That no new bills or joint resolutions be introduced after a certain time, . . . .                       | 681 | Millikan,        | 681 |
| Tendering thanks to the Principal Clerk, Assistant Clerk, and their Assistants,                          | 685 | Thompson of D.,  | 685 |
| Tendering thanks to the Speaker, . . . . .                                                               | 686 | Stone,           | 686 |
| Tendering thanks to the Reporters of the papers, . . . . .                                               | 688 | Stone,           | 688 |
| To adjourn to meet at half past 6 o'clock, . . . . .                                                     | 693 | Chapman,         | 693 |
| To deliver to the Governor the correspondence and papers in relation to the<br>Georgia lands, . . . . .  | 711 | Usher,           | 711 |

# RESOLUTIONS OF THE HOUSE OF REPRESENTATIVES—Continued.

## SUBJECT MATTER OF.

|                                                                                                                        | Introduced. | Mover's Name.   | Adopted. |
|------------------------------------------------------------------------------------------------------------------------|-------------|-----------------|----------|
| To print 2000 copies of the report of the joint committee in relation to the Hospital for the Insane,.....             | 719         | Mr. Hicks,      | 719      |
| Tendering thanks to the Door-keeper,.....                                                                              | 723         | McMakin,        | 723      |
| Requesting the Secretary of the Convention to deliver a copy of the Debates to the Assistant Clerks of the House,..... | 724         | Willard,        | 724      |
| To adjourn to meet at 7 o'clock,.....                                                                                  | 728         | Brown of S.,    | 728      |
| Requesting the Senate to return House bill No. 415,.....                                                               | 735         | Usher,          | 736      |
| Requesting the Senate to return House bill No. 477,.....                                                               | 736         | Brown of S.,    | 740      |
| Tendering thanks to the Assistant Door-keepers,.....                                                                   | 740         | Willard,        | 743      |
| To supply each of the Assistant Clerks with a copy of the laws and journal,                                            | 743         | Davis of Scot', | 777      |
| To adjourn to meet at 7 o'clock,....                                                                                   | 777         | Chapman,        | 780      |
| Complimentary to Hon. Geo. B. Graff,.....                                                                              | 780         | Davis of Scott, | 781      |
| To adjourn to meet the next morning at 5 o'clock, A. M.,.....                                                          | 781         | Johnston,       | 781      |
| To add members to the committee on enrolled bills,.....                                                                | 781         | Shook,          | 787      |
| To inform the Senate that the House were ready to adjourn,.....                                                        | 787         | Edwards,        |          |

## REYNOLDS, JOHN.

|                             |   |   |   |   |               |
|-----------------------------|---|---|---|---|---------------|
| Appeared and was qualified, | - | - | - | - | 5             |
| Petition by,                | - | - | - | - | 147           |
| Bills by,                   | - | - | - | - | 247, 392, 422 |

## RICE, JOHN W.

|                                       |   |   |   |   |                              |
|---------------------------------------|---|---|---|---|------------------------------|
| Appeared and was qualified,           | - | - | - | - | 4                            |
| Petitions by,                         | - | - | - | - | 83, 442, 706                 |
| Reports by,                           | - | - | - | - | 214, 223, 334, 641, 739, 781 |
| Resolutions by,                       | - | - | - | - | 9, 88, 461                   |
| Bills by,                             | - | - | - | - | 308, 422, 605                |
| Motions by,                           | - | - | - | - | 60, 83, 120, 126             |
| Granted leave to withdraw a petition, | - | - | - | - | 781                          |

## RILEY, DAVIS.

|                              |   |   |   |   |                   |
|------------------------------|---|---|---|---|-------------------|
| Appeared and was qualified,  | - | - | - | - | 5                 |
| Reports by,                  | - | - | - | - | 297               |
| Resolution by,               | - | - | - | - | 195               |
| Motions by,                  | - | - | - | - | 12, 179, 327, 552 |
| Leave of absence granted to, | - | - | - | - | 314               |

## ROAD, NEW ALBANY AND VINCENNES.

|                               |   |   |   |   |     |
|-------------------------------|---|---|---|---|-----|
| Report of the Superintendent, | - | - | - | - | 220 |
|-------------------------------|---|---|---|---|-----|

## ROBBINS, ISAAC.

|                             |   |   |   |   |                                             |
|-----------------------------|---|---|---|---|---------------------------------------------|
| Appeared and was qualified, | - | - | - | - | 4                                           |
| Bill by,                    | - | - | - | - | 121                                         |
| Motions by,                 | - | - | - | - | 240, 258, 325, 333, 471, 512, 615, 624, 687 |

## ROSS, ANDREW J.

|                                 |   |   |   |   |                                                                 |
|---------------------------------|---|---|---|---|-----------------------------------------------------------------|
| Appeared and was qualified,     | - | - | - | - | 4                                                               |
| Petitions by,                   | - | - | - | - | 47, 198                                                         |
| Reports by,                     | - | - | - | - | 186, 221, 286, 356, 392, 414, 416, 455, 521, 563, 640, 699, 776 |
| Resolutions by,                 | - | - | - | - | 8, 13, 21, 95, 96, 226, 365                                     |
| Bills and Joint Resolutions by, | - | - | - | - | 81, 83, 173, 309, 438, 439, 511, 620, 688                       |

|             |                                                                                                                                            |  |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------|--|
| Motions by, | 20, 68, 73, 83, 90, 134, 184, 191, 208, 209, 234, 239, 250, 295, 310, 318, 356, 368, 390, 419, 435, 505, 549, 574, 582, 587, 612, 631, 743 |  |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------|--|

## RUTER, ALANSON.

|                                     |       |     |
|-------------------------------------|-------|-----|
| Elected Warden of the State Prison, | - - - | 119 |
|-------------------------------------|-------|-----|

## SECRETARY OF STATE.

|                               |     |
|-------------------------------|-----|
| Report of, - - - - -          | 119 |
| Communication from, - - - - - | 168 |

## SENATOR, UNITED STATES.

Hon. Jesse D. Bright elected.

163

## SHOOK, CHARLES N.

|                                    |     |
|------------------------------------|-----|
| Elected Assistant Clerk, - - - - - | 7   |
| Vote of thanks to, - - - - -       | 685 |

## SHOOK, LUTHER.

|                                                                                                                                                       |               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Appeared and was qualified, - - - - -                                                                                                                 | 5             |
| Petition by, - - - - -                                                                                                                                | 100           |
| Reports by, 93, 94, 105, 145, 186, 200, 232, 233, 317, 362, 366, 382, 399, 440, 441, 477, 512, 584, 583, 611, 630, 660, 661, 706, 734, 742, 781, 782, |               |
| Resolutions by, - - - - -                                                                                                                             | 61, 635, 781  |
| Bills and joint resolutions by, - - - - -                                                                                                             | 103, 481, 527 |
| Motions by, 105, 108, 184, 191, 218, 320, 436, 527, 528, 666                                                                                          |               |

## SHULL, WILLIAM T.

|                                       |                                  |
|---------------------------------------|----------------------------------|
| Appeared and was qualified, - - - - - | 3                                |
| Petitions by, - - - - -               | 247, 253, 639, 612               |
| Reports by, - - - - -                 | 268, 391                         |
| Resolutions by, - - - - -             | 478, 511                         |
| Bills by, - - - - -                   | 63, 184, 247, 394, 423, 424, 555 |
| Motions by, - - - - -                 | 79, 182, 434, 534, 586, 608      |

## SIMLER, JOHN.

|                                       |          |
|---------------------------------------|----------|
| Appeared and was qualified, - - - - - | 4        |
| Petition by, - - - - -                | 146      |
| Motions by, - - - - -                 | 218, 307 |

## SINKING FUND.

|                                           |    |
|-------------------------------------------|----|
| Report of the commissioners of, - - - - - | 91 |
|-------------------------------------------|----|

## SPEAKER.

|                                                                                                                                                          |     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| Election of, - - - - -                                                                                                                                   | 5   |
| Address of, - - - - -                                                                                                                                    | 5   |
| Laid before the House message from the Governor appointing<br>Wm. M. Noel Private Secretary, - - - - -                                                   | 11  |
| Laid before the House reports from the Vincennes Branch and<br>the Bedford Branch of the State Bank of Indiana, - - - - -                                | 13  |
| Laid before the House reports from the Terre Haute, South<br>Bend, and New Albany Branches of the State Bank of<br>Indiana, - - - - -                    | 14  |
| Laid before the House a communication from John D. Defrees, - - - - -                                                                                    | 14  |
| Announced Standing Committees, - - - - -                                                                                                                 | 43  |
| Laid before the House the report of the State Librarian, - - - - -                                                                                       | 67  |
| Laid before the House the report of the Branch Bank at<br>Indianapolis, - - - - -                                                                        | 67  |
| Laid before the House the report of the Trustees of the Wabash<br>and Erie Canal, - - - - -                                                              | 68  |
| Laid before the House a communication from the Auditor of<br>State, - - - - -                                                                            | 69  |
| Laid before the House a communication from the Door-keeper, - - - - -                                                                                    | 72  |
| Laid before the House the report of the Auditor of State, - - - - -                                                                                      | 73  |
| Laid before the House a communication from the State Librarian, - - - - -                                                                                | 77  |
| Laid before the House a communication from the Governor, - - - - -                                                                                       | 81  |
| Laid before the House sundry temperance petitions, - - - - -                                                                                             | 84  |
| Laid before the House the report of the Commissioners of the<br>Sinking Fund, - - - - -                                                                  | 91  |
| Laid before the House the report of the State Bank, - - - - -                                                                                            | 91  |
| Laid before the House the reports of the Lawrenceburgh, Rich-<br>mond, Lafayette, Fort Wayne, and Michigan City Branches<br>of the State Bank, - - - - - | 91  |
| Laid before the House the report of the Secretary of State, - - - - -                                                                                    | 119 |
| Laid before the House a communication from the Governor, - - - - -                                                                                       | 119 |
| Laid before the House a communication from the Auditor of<br>State, - - - - -                                                                            | 120 |

|                                                                                                      |   |   |   |     |
|------------------------------------------------------------------------------------------------------|---|---|---|-----|
| Laid before the House the report of the Superintendent of the New Albany and Vincennes road,         | - | - | - | 120 |
| Laid before the House the report of the Madison Branch of the State Bank,                            | - | - | - | 141 |
| Laid before the House the report of the Visiter of the State Prison,                                 | - | - | - | 174 |
| Laid before the House a communication from the Governor,                                             | - | - | - | 174 |
| Laid before the House a communication from J. A. Underwood,                                          | - | - | - | 174 |
| Laid before the House the report of the Treasurer of State,                                          | - | - | - | 127 |
| Laid before the House the report of the Trustees of the Deaf and Dumb Asylum,                        | - | - | - | 133 |
| Laid before the House the report of the Trustees of the Institute for the education of the Blind,    | - | - | - | 137 |
| Laid before the House the report of the Commissioners of the Hospital for the Insane,                | - | - | - | 143 |
| Laid before the House the report of the Medical Superintendent of the Hospital for the Insane,       | - | - | - | 143 |
| Laid before the House a communication from Charles Jolly,                                            | - | - | - | 150 |
| Laid before the House a communication from the Governor,                                             | - | - | - | 196 |
| Laid before the House a communication from the Lawrenceburgh and Upper Mississippi Railroad Company, | - | - | - | 234 |
| Laid before the House a communication from Thomas Dowling, Trustee, &c.,                             | - | - | - | 304 |
| Laid before the House a communication from the Auditor of State,                                     | - | - | - | 358 |
| Laid before the House a communication from Carter D. Hathaway,                                       | - | - | - | 385 |
| Laid before the House a communication from the Governor,                                             | - | - | - | 467 |
| Laid before the House a communication from the Secretary of State,                                   | - | - | - | 468 |
| Laid before the House the address of the mutes of the Deaf and Dumb Asylum,                          | - | - | - | 489 |
| Address of, in relation to the Deaf and Dumb Asylum,                                                 | - | - | - | 492 |
| Laid before the House a communication from the Governor, and the report of the Agent of State,       | - | - | - | 579 |
| Laid before the House a communication from the Secretary of the Convention,                          | - | - | - | 579 |
| Laid before the House a communication from the State Printer,                                        | - | - | - | 668 |
| Vote of thanks to,                                                                                   | - | - | - | 686 |
| Valedictory address,                                                                                 | - | - | - | 788 |

## STATE PRINTER.

|                     |   |   |   |     |
|---------------------|---|---|---|-----|
| Communication from, | - | - | - | 668 |
|---------------------|---|---|---|-----|

## STATE LIBRARIAN.

|                                     |    |
|-------------------------------------|----|
| Report of, - - - - -                | 64 |
| Communication from, - - - - -       | 77 |
| Nathaniel Bolton elected, - - - - - | 97 |

## STAYNER, JOHN.

|                                       |                    |
|---------------------------------------|--------------------|
| Appeared and was qualified, - - - - - | 3                  |
| Bill by, - - - - -                    | 509                |
| Motions by, - - - - -                 | 144, 168, 279, 674 |

## STONE, CHARLES M.

|                                       |                        |
|---------------------------------------|------------------------|
| Appeared and was qualified, - - - - - | 4                      |
| Petition by, - - - - -                | 334                    |
| Report by, - - - - -                  | 353                    |
| Resolutions by, - - - - -             | 49, 58, 75, 686, 688   |
| Bill by, - - - - -                    | 272                    |
| Petitions by, - - - - -               | 60, 241, 401, 591, 648 |

## SCHWARTZ, GEORGE.

|                                        |                         |
|----------------------------------------|-------------------------|
| Appeared and was qualified, - - - - -  | 3                       |
| Petitions by, - - - - -                | 199, 245, 295, 343      |
| Report by, - - - - -                   | 417                     |
| Resolution by, - - - - -               | 563                     |
| Bill by, - - - - -                     | 205                     |
| Leave of absence granted to, - - - - - | 488, 505, 624, 648, 691 |

SWIHART, HENRY, (of *Huntington.*)

|                                        |                    |
|----------------------------------------|--------------------|
| Appeared and was qualified, - - - - -  | 4                  |
| Petitions by, - - - - -                | 113, 135, 146, 279 |
| Bill by, - - - - -                     | 424                |
| Resolution by, - - - - -               | 563                |
| Leave of absence granted to, - - - - - | 691                |

SWIHART, GABRIEL (of *Wabash.*)

|                                       |                        |
|---------------------------------------|------------------------|
| Appeared and was qualified, - - - - - | 5                      |
| Petitions by, - - - - -               | 56, 71, 170, 396, 410, |
| Reports by, - - - - -                 | 73, 370, 561           |

|                   |   |   |   |   |   |               |
|-------------------|---|---|---|---|---|---------------|
| Resolution by,    | - | - | - | - | - | 92            |
| Bills by,         | - | - | - | - | - | 438, 477, 479 |
| Motions by,       | - | - | - | - | - | 89, 91,       |
| Leave of absence, | - | - | - | - | - | 182, 691      |

## TEMPERANCE.

|                       |   |   |   |   |   |                         |
|-----------------------|---|---|---|---|---|-------------------------|
| Petitions from Adams, | - | - | - | - | - | 84, 213                 |
| Allen,                | - | - | - | - | - | 113, 213                |
| Bartholomew,          | - | - | - | - | - | 334, 396                |
| Blackford,            | - | - | - | - | - | 409                     |
| Boone,                | - | - | - | - | - | 246                     |
| Cass,                 | - | - | - | - | - | 169, 695                |
| Clark,                | - | - | - | - | - | 199, 245, 343           |
| Clinton,              | - | - | - | - | - | 371                     |
| Dearborn,             | - | - | - | - | - | 244, 343                |
| Decatur,              | - | - | - | - | - | 113, 234                |
| Delaware,             | - | - | - | - | - | 82, 170                 |
| Elkhart,              | - | - | - | - | - | 280, 409                |
| Fountain,             | - | - | - | - | - | 214, 409                |
| Franklin,             | - | - | - | - | - | 514                     |
| Grant,                | - | - | - | - | - | 396                     |
| Greene,               | - | - | - | - | - | 214                     |
| Harrison,             | - | - | - | - | - | 146                     |
| Henry,                | - | - | - | - | - | 161, 372, 410, 513      |
| Jackson,              | - | - | - | - | - | 98                      |
| Jay,                  | - | - | - | - | - | 81                      |
| Knox,                 | - | - | - | - | - | 409                     |
| Laporte,              | - | - | - | - | - | 114, 147, 285           |
| Madison,              | - | - | - | - | - | 147                     |
| Marshall,             | - | - | - | - | - | 372                     |
| Miami,                | - | - | - | - | - | 396                     |
| Montgomery,           | - | - | - | - | - | 246, 439                |
| Noble,                | - | - | - | - | - | 84                      |
| Orange,               | - | - | - | - | - | 214                     |
| Parke,                | - | - | - | - | - | 214                     |
| Putnam,               | - | - | - | - | - | 245, 443                |
| Randolph,             | - | - | - | - | - | 285, 199, 395, 409, 513 |
| Rush,                 | - | - | - | - | - | 371, 409                |
| Shelby,               | - | - | - | - | - | 409                     |
| St. Joseph,           | - | - | - | - | - | 147, 472                |
| Switzerland,          | - | - | - | - | - | 100, 113, 396           |
| Tippecanoe,           | - | - | - | - | - | 214                     |
| Tipton,               | - | - | - | - | - | 514                     |
| Vanderburg,           | - | - | - | - | - | 285, 213                |
| Vigo,                 | - | - | - | - | - | 180                     |



|                        |   |   |   |   |              |
|------------------------|---|---|---|---|--------------|
| Petitions from Wabash, | - | - | - | - | 396          |
| Warren,                | - | - | - | - | 372, 395 396 |
| Wayne,                 | - | - | - | - | 409, 410     |
| Wells,                 | - | - | - | - | 84           |
| Whitley,               | - | - | - | - | 279          |

### THOMPSON, THOMAS, (*of Carroll.*)

|                             |   |                                   |                     |               |          |
|-----------------------------|---|-----------------------------------|---------------------|---------------|----------|
| Appeared and was qualified, | - | -                                 | -                   | -             | 3        |
| Petitions, by               | - | 56, 135, 147, 199, 332, 333, 397, | 606                 |               |          |
| Reports by,                 | - | -                                 | 184, 269, 393, 477, | 701           |          |
| Resolution by,              | - | -                                 | -                   | -             | 120      |
| Bills by,                   | - | -                                 | -                   | -             | 396, 619 |
| Motions by                  | - | -                                 | -                   | 83, 268, 401, | 427      |

### THOMPSON, MICHAEL (*of Delaware.*)

|                             |   |   |   |   |              |
|-----------------------------|---|---|---|---|--------------|
| Appeared and was qualified, | - | - | - | - | 4            |
| Petitions by,               | - | - | - | - | 82, 184      |
| Bill by,                    | - | - | - | - | 380          |
| Resolutions by,             | - | - | - | - | 193, 685     |
| Motions by,                 | - | - | - | - | 82, 219, 322 |

### THORN, JAMES.

|                                      |                                                      |   |                                  |   |                |
|--------------------------------------|------------------------------------------------------|---|----------------------------------|---|----------------|
| Appeared and was qualified,          | -                                                    | - | -                                | - | 4              |
| Petition by,                         | -                                                    | - | -                                | - | 98             |
| Reports by,                          | -                                                    | - | -                                | - | 265, 266, 353  |
| Resolutions by,                      | -                                                    | - | 48, 75, 99, 116, 278, 325, 327   |   |                |
| Bills by,                            | -                                                    | - | 50, 151, 247, 273, 308, 309, 479 |   |                |
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## WILLIAMSON, DELANA E.

|                             |   |   |   |   |   |   |
|-----------------------------|---|---|---|---|---|---|
| Appeared and was qualified, | - | - | - | - | - | 3 |
|-----------------------------|---|---|---|---|---|---|



## ADDENDA.

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- Page 3, add "From the county of Brown—Jonathan Watson."  
Page 160, sixteenth line from the top, for "85" read "83."  
Page 172, third line from the bottom, immediately preceding joint resolution No. 103, add "By Mr. Walls."  
Page 177, eleventh line from the top, for "94" read "95."  
Page 198, seventh line from the top, for "106" read "116."  
Page 216, for "95" read "93."  
Page 230, for "98" read "9" and for "20" read "30."  
Page 238, for "157" read "159."  
Page 251, for "131" read "134."  
Page 254, for "138" read "109."  
Page 260, for "76" read "176."  
Page 268, for "115" read "118."  
Page 274, for "58" read "158."  
Page 333, sixth line from the bottom, for "Brown" read "Benson."  
Page 381, seventh line from the bottom, for "Franklin" read "Kankakee."  
Page 390, for "65" read "165."  
Page 414, for "235" read "236."  
Page 433, for "136" read "156."  
Page 466, for "309" read "307."  
Page 523, for "159" read "152."  
Page 533, for "151" read "251," and for "164" read "264."  
Page 537, for "159" read "359," and for "168" read "368."  
Page 543, for "175" read "195."  
Page 575, for "409" read "419."  
Page 582, for "374" read "376" and for "230" read "330."  
Page 586, for "338" read "388."  
Page 587, for "168" read "163."  
Page 588, for "173" read "172."  
Page 602, in Mr. Donaldson's report, for "377" read "378."  
Page 609, for "114" read "148."  
Page 627, for "551" read "351."  
Page 692, for "237" read "257."  
Page 707, for "378" read "377."  
Page 733, for "426" read "326."  
Page 779, for "265" read "433," and for "352" read "337."

Page 100 six. In the same volume, page 101, add of "From the same" and "Walden".

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[illegible]

1947-1948

Page 235, for "1911" read "1912".

... ..

0.221 g (0.001 mol) of 1,4-bis(4-oxo-4H-pyridin-2-yl)benzene was added to a solution of 0.221 g (0.001 mol) of 1,4-bis(4-oxo-4H-pyridin-2-yl)benzene in 10 mL of dimethyl sulfoxide (DMSO) and 10 mL of water. The mixture was stirred at room temperature for 24 hours. The mixture was then poured into 100 mL of water and the solid was collected by filtration. The solid was dried under vacuum at 60°C for 24 hours to give 0.221 g (100%) of 1,4-bis(4-oxo-4H-pyridin-2-yl)benzene.

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1951-1952  
1953-1954

"YAC" Inc. "YAC" Inc.

[illegible]

"BAC" "BAC" "BAC" "BAC" "BAC" "BAC" "BAC" "BAC" "BAC" "BAC"

10-10-1967

10-11-79

Page 000 in Mr. Donahue's

[illegible]

Page 707, for "278" read "277"  
Page 703, for "278" read "277"

1950



